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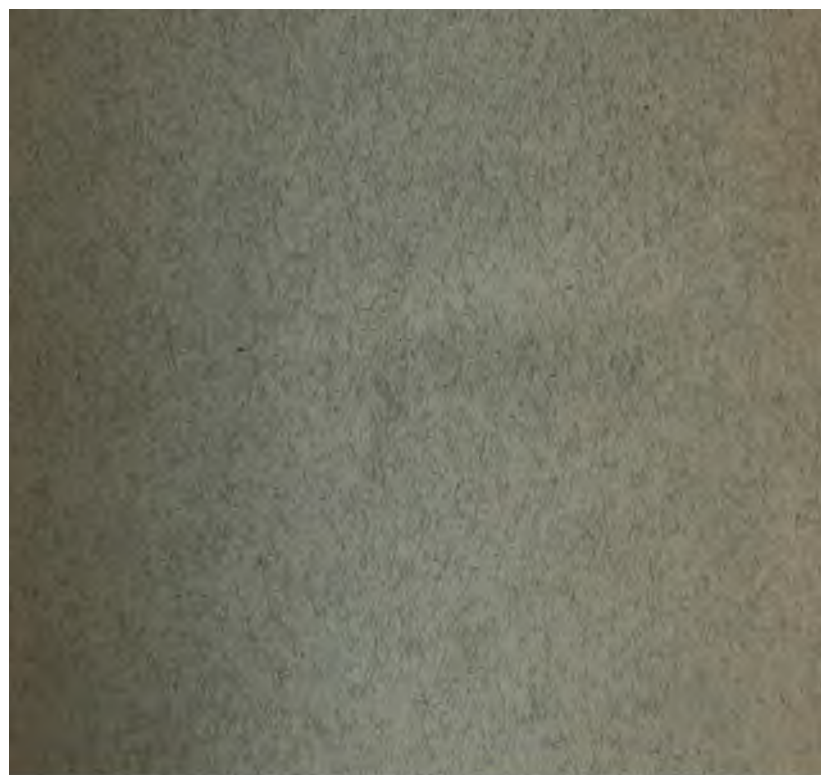
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6568
THE
PARLIAMENTARY
OR
CONSTITUTIONAL
History of England;

Being a
FAITHFUL ACCOUNT
Of all the
Most remarkable TRANSACTIONS
In PARLIAMENT,
From the earliest TIMES,
TO THE
Restoration of King CHARLES II.

COLLECTED
From the JOURNALS of both HOUSES, the RECORDS,
original MANUSCRIPTS, scarce SPEECHES, and
TRACTS; all compared with the several Cotem-
porary Writers, and connected, throughout, with
the History of the Times.

By SEVERAL HANDS.

VOL. VI.

From the Twenty-first Year of King *James I.*
to the Second of King *Charles I.*

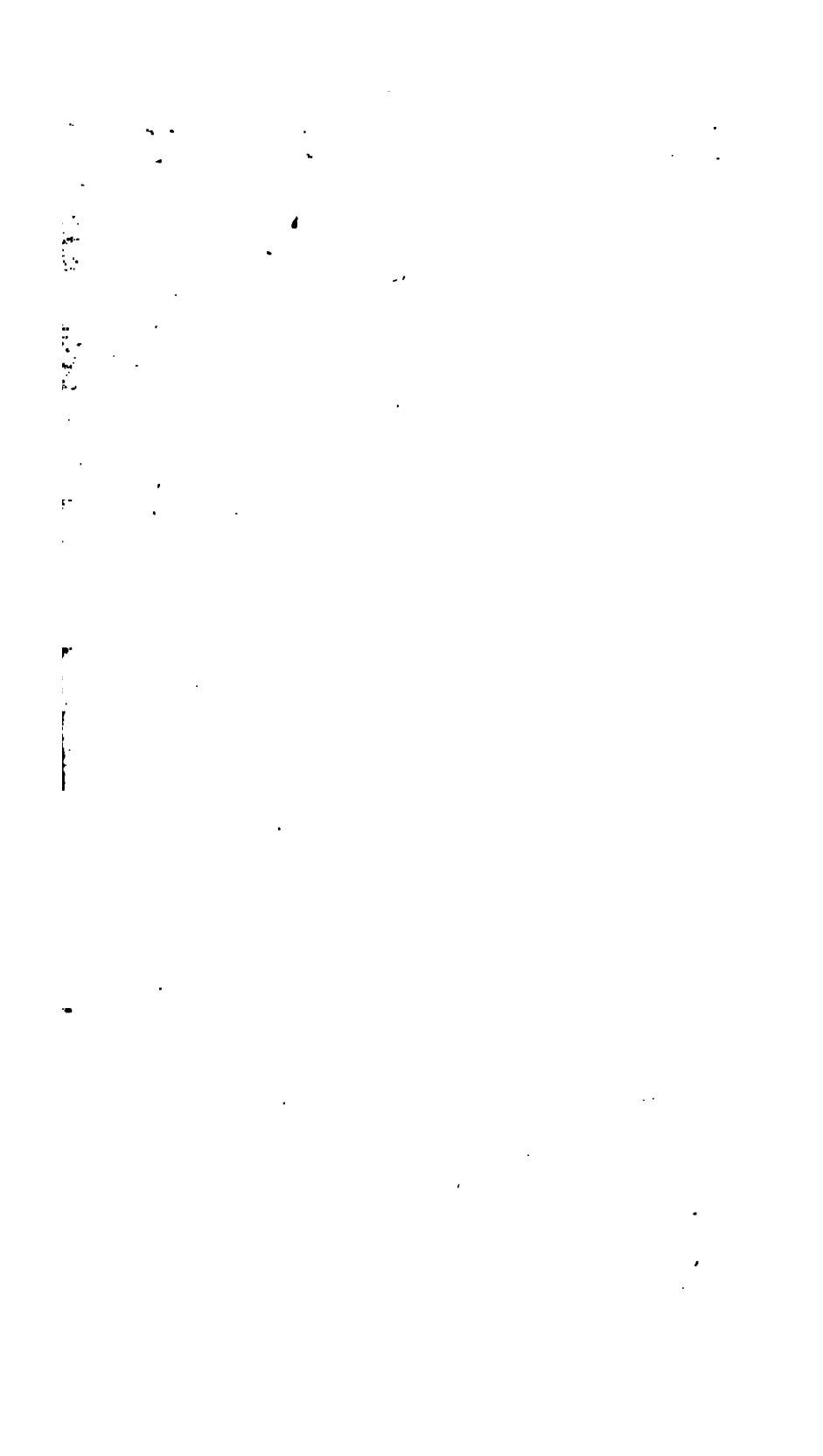
L O N D O N,

Printed : and sold by *Thomas Osborne*, in *Gray's Inn* ;

A N D

William Sandby, against *St. Dunstan's Church*, *Fleet-street*.

MDCCLI.





T H E
PARLIAMENTARY HISTORY
O F
E N G L A N D.



BEFORE we enter into the Proceedings of this Parliament, it may be necessary to take a View of the State of the Peerage at this Time; which the Reader will find much enlarged from the List at the Beginning of this Reign. But this was nothing to the Number of *Scotch* and *Irish* Lords the King made, from *English* private Gentlemen, who had Ambition enough to purchase those Titles, in order to get a Step higher than the new Degree of Baronets, created also in this Reign. This gave great Disgust to the *English* Peerage; and near Forty of that Order joined in a Petition to the King, to remonstrate the Inconvenience of such Proceedings. Which Petition had such Effect, That though it did not derogate from the Dignity of those already created, yet the King willingly restrained himself for the Time to come (a).

VOL. VI.

A

A

(a) *Wilson in Kennet, P. 747.*

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An. 21. James I.
1623.

A LIST of all the PEERS of England, called to Parliament, Anno 1623, 21 JAMES I. (b)

The State of the
Peerage.

C H A R L E S, Prince of Wales. &c.	<i>John</i> , E. of Shrewsbury.
<i>Lodowic</i> , Duke of Richmond, Lord High-Steward of the Household.	<i>Henry</i> , E. of Derby.
<i>Lionel</i> , Earl of Middlesex, Lord High-Treasurer of England.	<i>Francis</i> , E. of Rutland.
<i>Thomas</i> , Viscount Mandeville, President of the Council.	<i>Francis</i> , E. of Cumberland.
<i>Edward</i> , E. of Worcester, Lord-Keeper of the Privy-Seal.	<i>Henry</i> , E. of Huntingdon.
<i>George</i> , D. of Buckingham, Lord High-Admiral of England.	<i>Edward</i> , E. of Bath.
<i>William</i> , Marq. of Winchester.	<i>Henry</i> , E. of Southampton.
<i>Thomas</i> , Earl of Oxford, Lord Great-Chamberlain.	<i>Edward</i> , E. of Bedford.
<i>Thomas</i> , E. of Arundel and Surrey, Earl-Marshal of England.	<i>William</i> , E. of Hertford.
<i>James</i> , E. of Cambridge, Steward of the Household.	<i>Thomas</i> , E. of Suffolk.
<i>William</i> , E. of Pembroke, Chamberlain of the Household.	<i>Richard</i> , E. of Dorset.
<i>Henry</i> , E. of Northumberland.	<i>William</i> , E. of Salisbury.
<i>Charles</i> , E. of Nottingham.	<i>William</i> , E. of Exeter.
	<i>Philip</i> , E. of Montgomery.
	<i>John</i> , E. of Bridgewater.
	<i>Robert</i> , E. of Leicester.
	<i>William</i> , E. of Northampton.
	<i>Robert</i> , E. of Warwick.
	<i>William</i> , E. of Devon.
	<i>Esme</i> , E. of March.
	<i>John</i> , E. of Holderness.
	<i>Charles</i> , E. of Carlisle.
	<i>William</i> , E. of Denbigh.
	<i>John</i> , E. of Bristol.
	<i>Christopher</i> , E. of Anglesey.
	<i>Anthony</i> , Viscount Montague.
	<i>William</i> , V. Wallingford.
	<i>John</i> , V. Purbeck.
	<i>William</i> ,

(b) From the Lords Journals and Dugdale's Summons to Parliament.

Of ENGLAND. 3

<i>William, V. Mansfield.</i>	<i>Theophilus, L. Howard,</i> An. 21. James I. of <i>Walden</i> , Son to 1623. the E. of <i>Suffolk</i> .
<i>Thomas, V. Colchester.</i>	<i>Edward, L. Wotton.</i>
<i>V. Rochford.</i>	<i>Francis, L. Russel, of</i>
<i>Thomas, V. Andover.</i>	<i>Thornhaugh.</i>
<i>Richard, V. Tunbridge.</i>	<i>Henry, L. Grey, of</i>
<i>Henry Nevile, Lord A-</i> <i>bergavenny.</i>	<i>Groby.</i>
<i>Merwin Touchet, L. Aud-</i> <i>ley.</i>	<i>William, L. Petre.</i>
<i>Edward, L. Zouch.</i>	<i>Henry, L. Danvers.</i>
<i>Robert Bertie, L. Wil-</i> <i>loughby, of Eresby.</i>	<i>Robert, L. Spenser.</i>
<i>Henry West, L. De La-</i> <i>Warr.</i>	<i>George, L. Carew.</i>
<i>George, L. Berkeley.</i>	<i>William Fienes, L. Say</i> <i>and Sele.</i>
<i>Henry Parker, L. Mor-</i> <i>ley and Montegle.</i>	<i>Edward, L. Denny.</i>
<i>Richard, L. Dacres and</i> <i>Hersf.</i>	<i>Charles, L. Stanhope, of</i> <i>Harrington.</i>
<i>Edward, L. Stafford.</i>	<i>Thomas, L. Arundel of</i> <i>Wardour.</i>
<i>Emanuel, L. Scroop.</i>	<i>John Holles, L. Hough-</i> <i>ton.</i>
<i>Edward Sutton, L. Dud-</i> <i>ley.</i>	<i>John Roper, L. Tenham.</i>
<i>Edward, L. Stourton.</i>	<i>Philip, L. Stanhope, of</i> <i>Shelford.</i>
<i>Charles, L. Herbert, of</i> <i>Shurland.</i>	<i>Edward, L. Noel.</i>
<i>John, L. Darcey and</i> <i>Meinill.</i>	<i>Fulk Grevile, L. Brook.</i>
<i>Edward, L. Vaux.</i>	<i>Edward, L. Montague.</i>
<i>Thomas, L. Windsor.</i>	<i>Robert, L. Carey, of</i> <i>Lepington.</i>
<i>Thomas, L. Wentworth.</i>	<i>Henry Rich, L. Ken-</i> <i>sington.</i>
<i>John, L. Mordaunt.</i>	<i>John, L. St. John, of</i> <i>Basing.</i>
<i>Oliver, L. St. John de</i> <i>Bletso.</i>	<i>William, L. Grey, of</i> <i>Warke.</i>
<i>Thomas, L. Cromwel.</i>	
<i>William, L. Evers.</i>	
<i>Philip, L. Wharton.</i>	<i>Lay-Peers</i> 93
<i>Edmund, L. Sheffield.</i>	<i>Abps. and Bps.</i> 26
<i>William, L. Paget.</i>	
<i>Dudley, L. North.</i>	<i>In all</i> 119

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An. 21. James I.
1623.

The Parliament being assembled on the 12th Day of *February*, they were, by Commission, adjourned to the 16th, and from thence, by another Commission, to the 19th of the same Month. These short Adjournments, we are told, by the Writer of this Reign, were occasioned by the sudden Death of the Duke of *Richmond*, who was found dead in his Bed, by his Lady (c), in the Morning of the first Meeting of the Parliament. This Nobleman, being a near Relation of the King's and a great Favorite, he was so struck with the Accident, that he put off the Solemnity of going and appearing in Parliament, as above said. However, on the 19th, being all met again and the Commons called up, the King was pleased to make the following Speech to them (d).

My Lords Spiritual and Temporal, and you that are Gentlemen of the House of Commons of this present Parliament.

The King's
Speech at open-
ing the Session.

‘ **I** T is a true Saying uttered by the Spirit of
‘ God, *That the Glory of a King stands in the*
‘ *Multitude of his People:* And I am sure it is as
‘ true, That the Strength of a Kingdom, stands
‘ next and immediately after God's Protection, in
‘ the Hearts of the People. That you may see
‘ and have a Proof that I have not this only in
‘ my Tongue, but have it likewise settled in my
‘ Heart, (as God can bear me Record every Way)
‘ I have called you at this Time to speak my
‘ Mind freely to you; for, remembering the Mis-
‘ understandings between me and you before, I am
‘ now come hither with an earnest Desire to do
‘ the Duty which God hath called me unto, by
‘ de-

(c) *Wilson* writes, That the Dutchess confessed to some of her Intimates, afterwards, That she experienced the Effects of his full Veins, the Night before. In *Kennet*, P. 777.

(d) This Speech is much curtailed and abridged in *Wilson* and *Rusworth*, for what Reason we know not; but it stands in this Manner in the *Journals*. The Doctrinal Part of it was agreeable to the Cant and outward Piety of the Times; for scarce a Member of Parliament made a Speech then, without beginning with a Text, or interlarding of it with many Quotations out of Holy Writ.

declaring unto you the Verity of this which God
 hath put into my Heart, and to manifest my
 Actions to be true by my Words. I remember
 very well, that it is a very fit Similitude for a
 King and his People to be likened to a Husband
 and Wife; for, even as Christ, in whose Throne
 I sit in this Part of the Earth, is the Husband to
 the Church and the Church his Spouse, so I
 likewise desire to be your Husband, and you
 should be my Spouse; and, therefore, as it is the
 Husband's Part to cherish his Wife, to entreat
 her kindly, to reconcile himself towards her, and
 procure, by all Means, her Love, so it is my
 Part to do the like to my People.

An. 21. James I.
 1623.

There are but two Ways for a King to shew
 his Love to his People; one, in the constant
 good Government of them during his Life; the
 other, by his Behaviour to their Representative
 Body in Parliament. For the first, God know-
 eth, I desire my Government may be performed,
 with an honest, just, true and sincere Heart;
 and there is none of you that see or hear me this
 Day but have found the Fruit of it, one Time
 or other. For the other Part, belonging to the
 Representative Body, which is now the Cause of
 calling you together, what greater Evidence can
 there be to shew Love between you and me, and
 between me and you, that are the Representative
 Body, in a right Understanding, than, out of my
 own Mouth and Direction, to give you a Taste
 of my Love and Care of you all.

The Properties and Causes of calling a Parlia-
 ment, (and so go the Writs) are to confer with
 the King, and give him their Advice in Matters
 of greatest Weight and Importance. For this
 Cause I have now called you together, that ye
 may have Proof of my Love and of my Trust,
 and give me your Advice, in the greatest Matter
 that ever could concern a King; a greater De-
 claration of my Trust in you I cannot give.

I have been these many Years upon Treaties,
 as far as I thought (and God is my Witness I ne-

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‘ ver had any other Intention) for settling a Peace
‘ in *Christendom* and settling a Peace at Home.
‘ In these Treaties I went long on, but finding
‘ them to have slower Success than I expected, or
‘ had Reason to do, I was willing, (and especial-
‘ ly in one Thing concerning the Estate of my
‘ Grand-Children) to see a good and speedy End.

‘ In this, finding as great Promises as I could
‘ wish, and yet finding their Actions quite con-
‘ trary, it stirred up my Son to offer himself to
‘ make that Journey; and I thank God, having
‘ him now here, I have no Cause to repent of it.
‘ For, being of full Age and Ripeness for Mar-
‘ riage, he urged me to know the Certainty, in a
‘ Matter of so great Weight, that he might not be
‘ put off with long Delays; for Delays, in such
‘ a Case, are more dangerous than Denials.

‘ In it I was content (as a rare Example) to
‘ grant his Desire; and with him I, only, sent the
‘ Man whom I most trusted, *Buckingham*; com-
‘ manding him never to leave him nor return
‘ Home without him. I thank God for it, it hath
‘ learn’d me Wisdom; for, in *Generalibus versatur*
‘ *Delus*. I had general Hopes before, but Particu-
‘ lars will resolve Matters when Generals will not;
‘ and, before this Journey, Things came to me as
‘ raw as if I had never heard of them before. I
‘ was as far disappointed of my Ends as if I had
‘ been wak’d out of a Dream; now I have
‘ put it into a Certainty; and, whereas I walk-
‘ ed in a Mist before, I have now brought it to
‘ Light. Now,

My Lords,

‘ For the Particulars, they are gone so far as,
‘ both in the Treaty of the Match and of the *Pa-*
‘ *latinate*, that I know the utmost. I am resol-
‘ ved upon what I am like to obtain, and have had
‘ Promises and Projects, and some of them lately.
‘ But, to shew the Trust that I put in you, I am
‘ content that my Secretaries, from the Informa-
‘ tion and Assurance of my Son and *Buckingham*,
‘ shall relate unto you all; And when you have
‘ heard

‘ heard all, *super totam Materiam*, I shall then en- An. 21. James I.
‘ treat your good and sound Advice, for the Glo- 1623,
‘ ry of God, the Peace of the Kingdom, and the
‘ Good of my Children.

‘ Never King gave more Trust to his Subjects
‘ than to desire their Advice in Things of this
‘ Weight. For, I assure you, ye may freely ad-
‘ vise me, seeing, of my princely Fidelity, ye are
‘ intreated thereto. Never Subjects had better
‘ Hearts and Experience to give me good Advice
‘ than you; of which I make no Doubt, for, if
‘ you love yourselves, you will give it me, your
‘ own Felicity depending upon it.

‘ One Particular I must remember you of, be-
‘ cause it hath been much talked of in the Coun-
‘ try, that I should be slack in my Care of Religion
‘ for other Things.

My Lords, and you Gentlemen all,

‘ I pray you judge me charitably, as you would
‘ be judged; for, I never made public or private
‘ Treaties, but I always had a direct Reservation
‘ for the Public-Weal and the Cause of Religion,
‘ for the Glory of God and Good of my Subjects.
‘ I only thought good sometimes to wink and con-
‘ nive at the Execution of some penal Laws, and
‘ not to go on so rigorously as at other Times, but
‘ not to dispense with any, or to forbid or alter any
‘ that concern Religion. I never promised or
‘ yielded, I never did think it with my Heart, nor
‘ spoke it with my Mouth.

‘ It is true, a skilful Horseman doth not always
‘ use the Spur; but sometimes the Bridle, and some-
‘ times the Spur: So a King, that governs wisely, is
‘ not bound to carry a rigorous Hand over his Sub-
‘ jects, upon all Occasions; but may sometimes
‘ slacken the Bridle, yet so as his Hands be not off
‘ the Reins.

‘ So much for that Point, to be cleared upon all
‘ Occasions. Now albeit it be a great Matter to
‘ require your Advice, yet, in this, I pray remem-
‘ ber the Weight of the Business. I cannot limit
‘ you Hours nor Days, but your own Hearts must
‘ do

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An. 21. James I.
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do it; for every Man, by Nature, thinks the Time long here, according to his own Occasions at home. Therefore consider the State of *Christendom* and the State of my Grand-Children, my own Estate and the State of my Kingdom, the Treaties and all.

My Lords,

It is not enough, altho' you are never so willing to give me your Advice; for to plant will not serve the Turn, if I, like a good Gardener, as well as plant, do not weed away from the Roots, and remove the Obstacles that hinder your so good Advice: Of which, the whole Weed and manifest Hindrance that can be, is your Jealousy of me: Free me from that, and, for my Actions, I dare avow them before God and his Angels. But Jealousy hath a deep Sting, take away that, and nothing can do me Harm: You are my Wife, and Jealousy is subject to a Wife; therefore remove it, and be not jealous of me.

For Matters of Privileges, Liberties, and Customs, be not over curious; I am your own kindly King. Ye never shall find me curious in these Things: Therefore do what you ought, and no more than your lawful Liberties and Privileges will permit, and ye shall never see me curious to the contrary. I had rather maintain your Liberties than alter them in any Thing. Shew a Trust in me, and go on honestly as you ought to do, like good and faithful Subjects; and, what you have Warrant for, go on with, and I will not be curious, unless you give me too much Cause.

The next Thing is, to beware that you take not in Hand the maintaining of idle Questions among you; which spoils good Business. Remember, beware of Genealogies and curious Questions, as *St Paul* speaks; and do you keep to the Ground and Gravity of the great Business for which I called you; and next, for all other Things that are for the great and good Governing of the Kingdom. Let not any stir you up to
Law

* Law-Questions, Debates, Quirks, Tricks and Jercks; but continue yourselves in that honest Modesty, whereby you may have my Prayers to God for you, and procure the Love of me, and an happy End to this Parliament.

An. 21. James I.
1623.

* God judge me, I speak as a *Christian* Prince, never Man, in a dry and sandy Defart, where no Water is, did thirst more in hot Weather for Drink, than I do now for a happy Conclusion of this Parliament. I now hope, after the Miscarriage of the last, that this may prove happy: I am neither curious nor captious enough to prevent it. Eschew all Occasions of curious Questions, which may hinder you in this great Cause for which I have called you; and remember, That spending of Time is spoiling of Business. And I hope in God, and that by a Faith in God, that, by your Actions this Parliament, I shall clearly see your Hearts; and that you are the true Representative Body of my Subjects: For you know in your Conscience, that of all the Kings that ever were, I dare say never was King better beloved by his Subjects than I am.

* Therefore, be you true Glasses and Mirrours of their Faces, and be sure you yield the true Reflections and Representations as you ought to do. And, this doing, I hope you shall not only find the Blessing of God; but also, by these Actions, procure the Thanks and Love of the whole People, for being such true and faithful Glasses. Lastly, you shall never find me desire any Thing of you, but what shall tend to the common Good and Weal of the Kingdom.

His Majesty having ended his Speech, the Lord Keeper (e), by his Commands, directed the Commons to repair to their own House, and choose a Speaker. The Names of Receivers and Tryers of Petitions, according to antient Custom, being also read, the Parliament was adjourned to *Saturday* the 21st of *February*.

On

(e) *John Williams*, Bishop of *Lincoln* and Dean of *Westminster*,

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An. 21. James I. 1623. On that Day the Commons presented to the King Sir *Thomas Crew*, Knight, Sergeant at Law, for their Speaker; whose Excuse, for Insufficiency, &c. being not allowed of, he was confirmed accordingly. Then the Speaker addressed himself to the Throne, *in hæc Verba*:

His Speech to
the Throne.

Most Gracious Sovereign,

‘ Since I cannot bring an Olive-Branch in my Mouth, as a Sign of my Peace; and that God, (in whose Hands are the Hearts of Kings) without whose Providence a Sparrow doth not fall to the Ground, whom no Man can resist, hath inclined your Majesty to cast your Eye of Grace on me, and to confirm me in this Place: I am taught in the best School, that *Obedience is better than Sacrifice*; and will only say with a learned Father, *Domine quod jubes, & jube quod vis*: Otherwise I have great Cause to be afraid of such a Charge, to be executed before so great a Majesty, and in so great an Assembly; but that I hope your Majesty will extend your Scepter of Grace, as *Ahab* did, to sustain me in my Fainting.

‘ Your Majesty is *Princeps Hæreditarius*, descended from both the Roses, and hath united both the Kingdoms. At your first Entrance you wrought a Wonder in the Tumult of our Cares, and Cloud of our Fears, happening upon the Death of the late Queen, by the bright Beams of your Sunshine; which a Poet elegantly express’d, *Mira cano, Sol occubuit, Nox nulla secuta est*.

‘ There was a *David* in *Hebron*, and no *Ishbosheth* to disturb your peaceable Entrance; but the Acclamations of all your Subjects and Commons, concurring to express their great Contentment. This was no sudden Flash of Joy, but a constant Blessing, by the Continuance of the Gospel and true Religion, maugre the Malice and hellish Invention of those, who would have blown up all at once; but God laughed them to Scorn, and they fell into their own Trap. These Things I leave to your Majesty’s Royal Remembrance, as

‘ a

‘ a Duty to be practised, and to be expressed by our An. 21. James I.
1623.

‘ Thankfulness to our holy God; for it is a good

‘ Thing to be thankful: *Non est dignus Dandis,*

‘ *qui non agit Gratias pro Datis.*

‘ Since my Designment to this Place, I called to
‘ Mind these Statutes of late Times, and find two
‘ of especial Note: The first of 32, *Henry VIII.*
‘ which was called *Parliamentum doctum*, for the
‘ many good Laws made for the settling of Pos-
‘ sessions (*f*). The other, 39, *Elizabeth*; which,
‘ by a Reverend Divine, was called *Parliamentum*
‘ *pium*; because the Subjects were enabled to found
‘ Hospitals without Licence of *Mortmain*, or *Ad*
‘ *quod damnum*, and other charitable Laws, which
‘ I omit, being not perpetual (*g*). And I likewise
‘ called to Mind many glorious Offers made by your
‘ Majesty, and other good Provisions at the last
‘ two Meetings. Now your Majesty hath stretch-
‘ ed forth your Scepter to call us to you again, and
‘ hath made Declaration, that all Jealousies and
‘ Distractions might be removed, and the Memo-
‘ ry of Parliament-Nullities might be buried. And
‘ my Desire is, that your Majesty’s Influence may
‘ distil upon us, and you proceed in such a sweet
‘ Harmony and Conjunction, that *Righteousness and*
‘ *Peace may kiss each other*, and that *Mercy and*
‘ *Truth may meet*; and the World may say, *Ecce*
‘ *quam bonum & quam jucundum Regem & Populum*
‘ *convenire in unum.*

‘ And, for perfecting this Work, the good Bills
‘ against Monopolies, Informers, and Concealers,
‘ may now pass, and receive Strength, with Ge-
‘ neral, Liberal, and Royal Pardon, according to
‘ the Bounty of the late Queen; that so this Par-
‘ liament may be called, *Felix, Doctum, & Pium*;
‘ which will be good to your Subjects, and no Di-
‘ minution to your Revenue, or Derogation to your
‘ Prerogative; which, in your Majesty’s Hands, is
‘ a Scepter of Gold; but, in other Hands, is a Rod
‘ of Iron. I need not speak in the Praise of the
‘ fundamental Common Laws; *Veritas Temporis*
‘ *Filia,*

(*f*) Vol. III. P. 169. (*g*) Vol. IV. P. 410.

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Filia, Time hath sufficiently justified them. Monarchy is the best Government; and of Monarchies, those which are hereditary. The best Supply of your Majesty's Wants is in Parliament, where the Subject is bound by his own Consent; other Courses of Benevolence come heavily. The Subjects enjoy the Gospel freely by your Protection, and your Majesty may be safe in their Loyalty: Other Safeties are but as *Ajax* his Shield, a Weight rather than a Defence. Their Desire is, that the good Laws for Religion may be confirmed; and that the Generation of Locusts, the Jesuits and Seminary Priests, which were wont to creep in Corners, and do now come abroad, may be, by the Execution of these good Laws, as with an East Wind, blown over the Sea. Our late Queen *Elizabeth* lived and died in Peace; the *Pope* cursed her, but God blessed her: And so shall your Majesty, having God to your Friend, find Safety in the Ark of true Religion, and, when you are old and full of Days, land you in Heaven; and then your hopeful Prince, which sprang out of your own Loins, shall sway that Scepter, which you must leave to enjoy a Crown celestial. And God, in his due Time, will restore the distressed Princess, her Husband and Royal Issue, to that Inheritance which is now possessed by the usurping Sword of their Enemies: Whereof we are the more confident, because that Country was heretofore a Sanctuary in our Distress, when Religion was here persecuted. *Cato* was wont to say, *Hoc sentio. & Carthago destruenda est*: But I say, *Hoc sentio, & Palatinatus recuperandus est*.

The Question was put to a *Lacedemonian*, Why their City wanted Walls? who answered, *Concord* was their Walls. Your Majesty, under God, is a sole and entire Monarch, whose Walls are the Ocean without, and fortified within with a Wall of Brass, the Bond of Unity and Religion; and happy is that Place, of which it may be said, as of *Jerusalem*, *It is a City at Unity within*.

* *within itself.* Neither is your Government con- An. 21. James I.
 * fined within the Limits of this Kingdom, but 1623.
 * extends itself to *Ireland*; where your Majesty's
 * Care and Pains, in our late Employment, gave
 * divers provident Directions for the setting forth
 * of Religion, the reforming of Courts of Justice,
 * and the inflicting Punishment on the Disturbers
 * of the Public Peace. And I was *Ocularis Testis*,
 * that you have made these ample Endowments
 * of Churches out of your own excheated Revenue,
 * as will be to your Honour in all Posterity (e).
 * But my Desire is, as well in the Beginning, as in
 * all other our Proceedings, our Words may be
 * *vera, pauca, & ponderosa*.

* Therefore, with your gracious Favour, accord-
 * ing to antient Precedents, we are humble Suitors,
 * that you would be pleased to allow our antient Pri-
 * vileges (f); and that, for our better Attendance,
 * our Persons, Goods, and necessary Attendance,
 * may be free from Arreits; and that we may have
 * Liberty of free Speech, not doubting but we shall
 * confine ourselves within the Limits of Duty.
 * And because this great Business may give us Oc-
 * casion often to resort to your Majesty, that upon
 * our public Suit, you will be pleased to give us
 * your own fit Time of Access; and that all our
 * Actions may have a benign Interpretation, and a
 * good Acceptation and Opinion.

* Lastly, That I may not only be a Speaker,
 * but an humble Suitor, protesting by the great
 * God, by whom Kings do reign, That whatso-
 * ever

(e) Sir Thomas Crew was one of the Members who distinguished
 themselves against the *Spanish Match*, and in favour of the Com-
 mons Protestation, in the last Parliament; and was thereupon sent
 into *Ireland* upon a Commission. See Vol. V. P. 525.

(f) In the Debate relating to the Privileges of the House of
 Commons, in the last Parliament, this Gentleman made use of
 these remarkable Expressions: "Our Privileges are our Inheri-
 tance, not Matter of Grace nor Toleration.—This of that
 Importance to us, that if we should yield our Liberties to be but
 of Grace, these Walls, that have known the holding them
 thus many Years, would blush.—In a dutiful Manner, there-
 fore, to claim our Right."

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An. 21. James I. 1623. ' ever I have said, hath proceeded from a loyal
' Heart ; I therefore desire that I may be covered
' with the Vail of your gracious Construction, or
' acquitted by your gracious Pardon.'

The Speaker having finished his Harangue, the Lord Keeper first conferred with the King, and then answered as follows (g):

Mr. Speaker,

The Lord Keeper's Answer. ' HIS Majesty hath heard your Speech with
' no more Patience than Approbation ; and
' as you have not cast it out into any general Parts,
' no more will I: It is Pity to pull down a Frame
' which cannot be set up in so excellent a Form
' again. A Mathematician writes, That nothing
' can be so round, but that Points and Stops may
' be found therein ; so I may observe, in your
' round and voluble Speech, these distinct Parts and
' Articles.

' You spoke something of yourself, something
' of the King, and something of the Acts of Parli-
' ament, which are of two Natures, some striv-
' ing for Life, others dropping into their Graves :
' Something of Common Law in general : Some-
' thing for the ordinary Supply of Princes : Some-
' what of Benevolence: Somewhat of the Increase
' of true Religion: Somewhat of regaining that
' which is lost to our Enemies: Somewhat of pre-
' serving our own: And somewhat of the Refor-
' mation of *Ireland*. These were your Materials ;
' the Formals were three. 1. Privileges from Ar-
' rests. 2. Freedom of Speech in your House.
' And, 3. A good Interpretation of all when you
' have left the House.

' I shall, from his Majesty, give Answer to them
' all, and shall proceed Step by Step.

' First, For yourself, *Mr Speaker*: His Majesty
' hath not only stretched out his Scepter with Af-
' surance, but lifted up his Voice, *quæ est Petitio*
' *tua & dabitur tibi* ; he hath granted all your Pe-
' titions,

(g) From the Journals of the Lords,

titions, and doth assure you by me, of his especial Favour. An. 21. James I.
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‘ *Secondly*, For the King; we cannot deny God’s blessing of us, and our blessing of God for his Royal Descent; his peaceable Access to the Crown; his miraculous Preservation in this Place; and our comfortable Hope of the future. All these *ibunt in Sæcula Sæculorum*.

‘ *Thirdly*, For those Laws, for settling of Possession, that were enacted 32, *Henry VIII.* which you call *Parliamentum doctum*; and those Laws of Charity, made in the 39th of the late Queen, which you call *Parliamentum pium*; and those Statutes of Grace, which were provided in the last Convention, (which his Majesty would have made *Parliamentum gratiosum*) and the Pardon, which may make this *Parliamentum munificum*, his Majesty will take such fit and convenient Courses, as may preserve Life in the one, and give Life to the other; so that you do, *cito obstricare*, play the good Midwife in their Birth.

‘ *Fourthly*, For the Abortives of the late Assembly, which you call Parliament-Nullities; *quem Animus meminisse horret*: A strange Chimera, such as I never read of, but in the Articles of the new Creed, *credo Ecclesiam Romanam Catholicam*. Parliaments naturally beget ***** (b). God and the King are averse to Nullities. The first Parliament was the three Persons consulting together *Faciamus Hominem*. God is a Maker and not a Destroyer. Every Consultation is for some Good. Others may commend former Laws. You have kept the best Law till now. In my Opinion, *Lex Oblivionis* is the best: Let the Memory of those Abortions be buried in the River *Lethe*, never to rise again.

‘ I will put you in Mind of a Story, which *Tully* relates out of *Thucydides*. The *Thebans* having overcome the *Lacedemonians*, in Memory thereof erected a brazen Trophy. A Complaint was

‘ made

(b) Deest in Orig. Probably the Word, *Latus*,

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made before the Common Council of the *Amphiteons*, That, by that Trophy, the Memory of their Discord was made eternal. Their Judgment was, that it should be demolished, because it was not fitting that any Record should be of Discord between *Greek* and *Greek*. I leave the Application.

Fifthly, For the Common Law, in general, it is of a convenient Disposition, and fit for the Climate; so far approved by his Majesty, that he would never allow any Project which was not justifiable by Common Law.

Sixthly, For the ordinary Supply of the Prince by Parliament, Subsidies are most comfortable to the King and favourable to the Subjects; because they issue from the Heart, and are brought in by the Hands of the People. Benevolence is but an Anchor, and a Help at a dead Lift; because Parliaments are a great Body and of a slow Motion. The King was averse to that Way, and had never assented thereunto; but compelled by an intolerable Provocation without, and Invitation at Home; and it was bestowed on that inimitable Paragon, once of Majesty, but now of Patience⁽ⁱ⁾; that no Man, without Malevolence, can find Fault with that Benevolence.

Seventhly, In the next Place his Majesty return'd Thanks to you for your Care of Religion. Your House was antiently a Chapel; and it still may be said, *Non Domus est, sed Templum*; so many Men as ye are, so many Churchmen. His Majesty gives full Assurance, that he esteems no Estate nor Dignity like to that inestimable Jewel of Religion; and if any Scandal hath been, it hath been taken, not given Cause for: And he wisheth with *Alphonfus*, the great King of *Arragon*, That all his Subjects were Kings, that then they might understand and be satisfied. He never spared the Execution of any Law, but for a greater Law, *Salus Reipublicæ*; all the rest are *Fines sub Fine*. Our Observation of any Law is not for

the

(i) The Prince Palatine, sometime King of *Bohemia*.

‘ the written Law, but for the Common-Wealth. An. 21. James I.
 ‘ All the Laws are yet in Force ; no Connivance 1623.
 ‘ but for the Propagation of true Religion. *What*
 ‘ *knowest thou, O Man ! whether the believing Hus-*
 ‘ *band may save the unbelieving Wife ?* You have
 ‘ heard his Majesty’s Simile touching a skilful
 ‘ Horseman ; which, in *Zachariah*, is God’s Si-
 ‘ mile. Kings are like Riders, the Common-
 ‘ Wealth is the Horse, and the Law is the Bridle ;
 ‘ which must be held always with a sure Hand,
 ‘ not always with a hard Hand : But, *Aliquando*
 ‘ *remittit ferire Eques non amittit Habenas.* Yet,
 ‘ if *Hagar* grow insolent, *Cast out the Bond-Wo-*
 ‘ *man and her Son*, his Majesty’s Resolution is,
 ‘ *That the Son of the Bond-Woman shall never*
 ‘ *inherit with the Son of the Free.* His Royal
 ‘ Majesty hath given Leave to us, that are his Cha-
 ‘ plains, to put him in Mind of this, God is ever
 ‘ careful of Kings, and Kings cannot be too careful
 ‘ of him.

‘ His Majesty giveth you Thanks for your just
 ‘ Feeling and Relenting at the Usurpation of that
 ‘ sweet Princess from her Jointure, and expelling her
 ‘ *Olive Branches* from their Inheritance. A good
 ‘ Cause makes good Soldiers. *Attollit Vires Militis*
 ‘ *Causa.* It is impossible, by amicable Means, to re-
 ‘ cover the *Palatinate* ; therefore you do well to fort
 ‘ *Cato’s Carthago evertenda*, with *Palatinatus deglu-*
 ‘ *tinanda* ; it ought to be unglued again, and pulled
 ‘ out of the Clutches of those Enemies, who, by
 ‘ Force and cunning Treaties, usurp the same. The
 ‘ King knows, and we know, and would have all the
 ‘ World know, the Care he hath taken in this Bu-
 ‘ siness ; *Patrias deprehendere Curas.*

‘ In the next Place, you observe very well the
 ‘ wooden Walls of this Kingdom, the Navy be-
 ‘ ing his Majesty’s special Care ; and as the Car-
 ‘ ver, who beautified *Diana’s Temple*, tho’ it was
 ‘ at the Costs of other Men, yet was allowed, in
 ‘ divers Places, to stamp his own Name ; so it
 ‘ cannot be denied but that Noble Lord, who has
 ‘ now spent seven Years Study, and is become a
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‘ Master in that Art, may grave his Name upon
‘ his Work, yet a fitting Distance from his Ma-
‘ ster’s.

‘ *Lastly*, For the Reformation of *Ireland*. As
‘ *Pliny* said of *Trajan*, That his Care extended not
‘ to *Italy* alone ; he hath not only shewed his
‘ Beams upon this, but upon other Countries. His
‘ Majesty shines upon them by his good Laws ;
‘ and tho’ that Kingdom adds little to his Crown,
‘ it adds much to his Glory.

‘ And now, *Mr Speaker*, what Liberties, Pri-
‘ vileges, and Access were ever yielded to any of
‘ your Predecessors, his Majesty now granteth fully
‘ and freely, without the least Jealousy or Dimi-
‘ nution. I will only add, out of *Valerius Maxi-*
‘ *mus*, *Quid Cato sine Libertate ? Quid Libertas*
‘ *sine Catone ?* What is Wisdom without Liberty
‘ to shew it ? And what is Liberty without Wis-
‘ dom to use it.’

After this last Harangue was ended, which must
be allowed very extraordinary for an *Extempore* one,
the House was adjourned to *Monday* the 23d of
February.

The Lords desire
a Conference con-
cerning the Spa-
nish Match and
the Palatinate.

On which Day, after the House was called, and
several Proxies admitted, the Lords took into Con-
sideration the great Business for which his Majesty
had summoned this Parliament, and which he had
imparted to them in that House. Their Lordships
agreed to desire a Conference with the Commons,
for the expediting thereof, by the following Mes-
sage :

‘ Whereas his Majesty, in his Speech, had said,
‘ That he designed the Prince and the Duke of *Buck-*
‘ *ingham* to signify to both Houses the Particulars of
the last great Negotiation, and his Secretaries to shew
the Letters and Papers concerning the same :’ Their
Lordships being desirous to expedite this great Bu-
siness, and hold fair Correspondency with them, do
pray, if their Occasions so permit, a Conference
to be had between both Houses, in the *Painted*
Chamber, To-morrow, at Two in the Afternoon.

And,

And if, upon Doubt of any of the Particulars then related, any of them move any Questions, they shall be fully and clearly satisfied therein.

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This Message being sent, the House highly approved of the Prince's own Offer to assist the Duke in his Relation to both Houses; and also that the Secretaries should attend with their Papers, and produce them as the Narration shall require. *Answer to the Message.* 'That the Commons returned to their Lordships hearty Thanks for the good Correspondency they desire to hold with them: They do most willingly embrace the Meeting, as is desired, and will attend their Lordships at the Time and Place appointed.'

Which the Commons agree to:

The Lords then proceeded to appoint a Committee to take into Consideration the Customs and Orders of that House, with the Privileges of the Peers of this Kingdom, or Lords of Parliament.

Feb. 24. On a Motion of the Prince, another Message was sent to the Commons, importing, That the *Painted Chamber* being appointed for the intended Conference that Afternoon, their Lordships now desire that the said Meeting might be in the Hall, at *Whitehall*; that Room being better accommodated for Ease and Hearing. Also to acquaint them with his Highness's Resolution to assist the Duke in his Narration. The Commons readily assented to the first, and declared themselves much satisfied with the Prince's Design.

Feb. 25. The now Duke of *Buckingham*, seven Earls, one Viscount, and three Barons, were introduced into the House of Lords, to their several Places, with the usual Ceremonies. On the Prince's Motion, the Report which was to be made this Day, by the Lord Keeper, of the Duke's Narration of Yesterday, was deferred to the 27th.

At which Time the Lord Keeper removed from the Wool-Sack to his Place on the Earls Bench, in order to make his Report; the said Narration having been made to a Committee, and not to the House. This Report, being very long, is much abridged in *Rushworth*; but, since the *Lords Journal*

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nal hath given the Whole, together with Copies of the Letters which passed in this Negotiation, we shall also give it at length ; in order that no Part of an Enterprize and Treaty may be hid, which must then have amazed all *Europe*, and does still demand the Attention of every intelligent Reader of *English History* (i).

The Lord Keeper's Report of the Duke of Buckingham's Negotiations in Spain.

The Lord Keeper told the Lords, That

THE Duke of *Buckingham* began with a threefold *Preface* :

‘ The *first* concerning himself.

‘ The *second* concerning the Prince's Highness.

‘ And the *third* concerning the Subject whereof he was to treat.’

‘ As touching the *first*, he craved Pardon of both Houses, if, in the Discharge of this great Burden, which his Majesty had imposed on him, he did not proceed in that Order and Method, (which left in the Memory a sure Dint and Impression) which the Business required ; and desired them to consider how unusual it was for him to speak in so great and judicious an Auditory.’

‘ As touching the *second*, he did acknowledge, that, among many great ones, this was none of the least Favours his Majesty had laid upon him, to put him at this Time under the Wings and Protection of the Prince his Highness ; without whose Help and Assistance, he was as unable to govern himself in the Parts of the Relation, as formerly in the Passages of the Negotiation.’

‘ For the *third*, he noted his Misfortune to fall upon a Subject of such a Nature as shall afford little Honour to the Relator, of what Affection or Disposition soever he be ; for if he be well affected thereunto, and shall speak the Truth, he must either blush or wrong his Modesty ; if otherwise, (as all true-hearted *Englishmen* must be affected otherwise) he is sure, by laying out all Things in their true

Co.

(i) A full Account of these Proceedings is printed in *Rymer's Publick Acts*, from the *Rolls of Parliament* ; but this is chiefly copied from the *Lords Journals*, *Fæd. Ang.* Tom. XVII. P. 552, &c.

Colours, to be taxed of Malice and Envy. However, the Business being of the greatest Importance that *Christendom* has afforded these many Years; and that Advice which the Parliament was to give his Majesty, being to be founded in part upon this Relation, he would not be afraid to open so much as might perfectly inform both Houses in the present Business; but would spare, for all that, (as far as the Nature of the Relation would give him leave) to dash upon the Ministers employed from the one or the other King.

An. 21. Jan. 1689.

And this was the Effect of his Grace's *Preface*

In the NARRATION itself his Grace used indeed a close, but yet an exact and perfect Method: A Man might observe therein six distinct and several Parts.

The first was the Motives of the Prince's Journey to Spain.

The second was the Treaty of Marriage set a Foot in Spain, severally, and by itself.

The third was the Treaty of the Marriage, and Restitution, united together by a reciprocal Subordination.

The fourth was the Prince's Return from Spain.

The fifth was his Majesty's subsequent Proceedings in both the Treaties since the Return.

And the last was the stating the Question, super totam Materiam.—And therein both the Houses were to offer to his Majesty their humble Advice and Counsel.

Of these Parts his Grace spoke very distinctly and orderly.

I. The MOTIVES of the Prince's Journey to Spain.

HIS Grace acquainted us with this Method, which was to open Things.

First, in the general, and to leave Particulars to shew themselves, he took it for granted that he need not begin any higher than the Negotiation of Mr.

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Chancellor of the Exchequer with the *Arch-Duchess*; which ministred unto his Majesty the first Occasion of Jealousy, and made a Kind of Discovery of their indirect Dealing with this Estate: And then my Lord told us we should see a Dispatch, written from *Hampton-Court* upon Mr. Chancellor's Return; and after be acquainted with Mr. *Porter's* Relation; which was, in very Truth, the *Motive* of the Prince's Journey.'

Here was read the KING's Letter of the 3d of *October*, 1622, to the Earl of *Bristol*, viz.

Right Trusty and right Well-beloved Cousin
and Counsellor, we greet you well,

THere is none knows better than yourself, how we have laboured ever sithence the Beginning of these unfortunate Troubles of the Empire, notwithstanding all Opposition to the contrary, to merit well of our good Brother, the King of Spain, and the whole House of Austria; by a long and lingring Patience, grounded still upon his Friendship and Promises, That Care should be had of our Honour, and of our Childrens Patrimony and Inheritance. We have acquainted you also, from Time to Time, since the Beginning of the Treaty of Brussels, how crossly Things have there proceeded, notwithstanding the fair Professions made untous, both by the King of Spain, the Infanta, and all his Ministers; and the Letters written by him to the Emperor, and then effectually, at least as they endeavoured to make us believe: But what Fruits have we of all this, other than Dishonour and Scorn? Whilst we are treating, the Town and Castle of Heidelberg taken by Force, our Garrison put to the Sword, Mannheim besieged, and all the Hostility used that is within the Power of an Enemy; as you will see by the Relation which we have commanded our Secretary to send you. Our Pleasure therefore is, That you shall immediately, as soon as you can get Audience, let that King understand how sensible we are of these Proceedings of the Emperor towards us; and, withall, are not a little troubled to see, That the Infanta
having

having an absolute Commission to conclude a Suspension and Cessation of Arms, should now, at the last, when all Objections are answered, and the former solely-pretended Obstacles removed, not only delay the Conclusion of the Treaty, but refuse to lay her Command upon the Emperor's Generals for abstaining from the Siege of our Garrisons during the Treaty, upon Pretext of Want of Authority: So as, for avoiding of further Dishonour, we have been forced to recall both our Ambassadors, as well as the Chancellor of our Exchequer, (who is already return'd to our Presence) as also the Lord Chichester, whom we intended to have sent unto the Emperor to the Diet at Ratisbon. Seeing therefore that, merely out of our extraordinary Respect to the King of Spain, and the firm Confidence we ever put in the Hopes and Promises which he did give us; desiring nothing more than, for his Cause principally, to avoid all Occasions that might put us into ill Understanding with any of the House of Austria, we have hitherto proceeded with a stedfast Patience; trusting in the Treaties, and neglecting all other Means which might probably have secured the Remainder of our Childrens Inheritance, (those Garrisons which we maintained in the Palatinate, being rather for Honour's Sake to keep a Footing untill the General Accommodation, than that we did rely so much on their Strength as upon his Friendship) and, by this Confidence and Security of ours, are thus exposed to Dishonour and Reproach: You shall tell that King, that seeing all those Endeavours and good Offices, which he hath used towards the Emperor in this Business, on the Behalf of our Son-in-Law, (upon Confidence whereof that our Security depended) which he continually, by his Letters and Ministers, hath here laboured to beget and confirm us in, have not sorted to any other Use, than to a plain Abuse, both of his Trust and ours; whereby we are both of us highly injured in our Honour, tho' in a different Degree: We hope and desire, that out of a true Sense of this Wrong offered to us, he will, as our dear loving Brother, faithfully promise and undertake, upon his Honour confirming the same and also under his Hand and

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Seal,

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shall, either that the Castle and Town of Heidelberg shall, within three-score and ten Days after this your Audiente and Demand made, be rendered into our Hands, with all Things therein belonging to our Son-in-Law or our Daughter, as near as may be in the State they were in when taken; and the like for Mainheim and Frankendale, if both or either of them shall be taken by the Enemy whilst those Things are in treating; as also that there shall be, within the said Term of three-score and ten Days, a Cessation and Suspension of Arms in the Palatinate for the future, upon the several Articles and Conditions last propounded by our Ambassador, Sir Richard Weston; and that the General Treaty shall be set on Foot again, on such honourable Terms and Conditions as we propounded to the Emperor, in a Letter written to him in November last, and with which the King of Spain then (as we understood) seemed satisfied; or else, in case these Particulars be not yielded unto, and performed by the Emperor as is here propounded, but be refused or delayed beyond the Time before mentioned, that then the King of Spain do join his Forces with ours, for the Recovery of our Childrens Honours and Patrimony, which, upon this Trust, hath been thus lost; or if so be his Forces be at this present otherwise employed, as they cannot give us that Assistance which we here desire, and, as we think, have deserved, yet that at least he will permit us a free and friendly Passage thro' his Territories and Dominions for such Forces as we shall send and employ in Germany for this Service: Of all which disjunctively, if you receive not from the King of Spain, within ten Days at farthest after your Audiente and Proposition made, a direct Assurance under his Hand and Seal, without Delay or putting us off to further Treaties and Conferences; that is to say, of such Restitution, Cessation of Arms, and proceeding to general Treaties, as is before mentioned; or else of Assistance and joining his Forces with ours against the Emperor; or, at least, Permission of Passage for our Forces through his the said King's Dominions, that then you take your Leave and return to our Presence without farther Stay:
Other-

Otherwise to proceed in the Negotiation of the Marriage of our Son, according to the Instructions we have given you. Given, &c. An. 21. James I.
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Hampton-Court, Oct. 3. 1622.

‘ Then his Grace desiring us to take for Truth whatsoever he should say, granted and attested by the Prince’s Presence, he shewed that this Letter was not put home to the utmost by the Earl of *Bristol*; whom, notwithstanding, his Grace excused for the Point of his Return, because he had, in another Letter, some private Directions to stay untill his Majesty was advertised from that Place; howsoever he gave out his coming away.’

‘ Mr *Porter* carried this Letter, with a peremptory Direction to return homeward after the ten Days Stay; the which Time being now expired, and no Dispatch prepared, Mr. *Porter* stept to the Conde d’*Olivares*, whose Servant and Creature he had formerly been, and desired him to speed his Dispatch, that he might have some good Answer to carry home with him. The Conde asked him what he would have? to which he answered, No more than had been promised by the King of *Spain*; which was, that if a Restitution was not made of the *Palatinate*, by way of Mediation, that then he would join in Arms with the King of *Great Britain* to recover the same, and give Passage for the King’s Forces to come at it. The Conde answered, That this Demand was very exorbitant: What! His Master to assist with Arms against his Uncle, against the Catholic League, against the Head of his House? He would never do it.’

‘ Mr. *Porter* forthwith rejoined, and ask’d him, What Hope he could give him about the Match? To which the Conde answered, That for the Match he knew nothing of it, nor would he understand what it meant.—And here give me Leave to weave in two of these Supplements, which the Lord Keeper imparted from their Lordships to the House of Commons, out of the two several Letters of the Earl of *Bristol*’s, that the Match was originally pro-

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An. 27. James I. propos'd by *Spain*, and not by us; namely, by the Duke of *Lerma*; and that the King of *Spain* had directly promis'd Assistance by Arms, in case Mediation could not prevail for the Restitution of the *Palatinate*.

1623.

‘ Mr. *Porter* acquainting my Lord of *Bristol* with these Answers, observ'd his Lordship at the first to be much mov'd, and to say in Anger, That he would call *Olivares* to account if he held this Language with him; and would make him understand that an Earl of *England* was as good a Man as a Conde of *Spain*: But sending for Mr. *Porter* next Morning, this Choler was abated; and he himself confess'd that he had chang'd his Resolution, and concluded to carry the Business more calmly; for that having soon after spoken with the Conde for being so reserv'd, his Answer was, That he did not think it proper to impart these Mysteries with that Freedom to him, who was not qualified as a public Minister. Mr. *Porter*, mov'd herewith, expostulated with the Conde for denying that to his old Servant, which he had imparted to both the Ambassadors; with that the Conde fell into a Rage, and swore *Voto a Dios que in ententos Embaxadores nil Veras, si ellos assi dichos*; but, saith the Conde, I have Reason to take it ill at your Hands (whom I ever favour'd and tender'd as my Child) for communicating that to the Earl of *Bristol*, which I had told you as a Secret. Mr. *Porter* answer'd, That, being a Servant of the King's, he could do no less than acquaint his Ambassador therewithall. But the Truth is, that the Conde was highly displeas'd with Mr. *Porter*, insomuch that the Duke of *Buckingham* coming into *Spain*, he spake it openly, that he hated the Ground which Mr. *Porter* trod upon. Mr. *Porter* returning with a Dispatch fraught with Generalities, without any one Particular or Certainty at all, made his Relation to the Prince his Highness; who, thereupon, took his Resolution to go in Person to *Spain*, and gave, himself, these Reasons for that Enterprize. He saw his Father's Negotiation deluded; Matters of
of

of Religion gain'd upon and extorted; his Sister's Case more and more desperate; that this was the Way to help Things off or on; that this particular Delay was worse than a plain Denial; and that according to the usual Proverb, *A desperate Disease must have a desperate Remedy*. This Resolution the Duke, by the Prince his Command, made known to the King; who, after he had consulted of it together with them, at the last, commands the Duke to accompany his Highness in this Journey.

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And here ends the *first* Part of the NARRATIVE, the *Motives* of the Prince his Journey.

II. *The TREATY of the MARRIAGE severed and by itself.*

'When the Prince had arriv'd at *Madrid*, and immediately discover'd himself to the Earl of *Bristol*, the Duke sent the next Day to offer a Visit unto the Conde, who was so complemental as he refused to receive him in his own House, but gave him a Meeting in a Garden. Here the Conde magnify'd exceedingly the Prince his Journey; amplify'd the Obligations his Highness had put upon that King and his Kingdoms; said, that now without all peradventure it must be a Match, and we must part and divide the whole World between us. This Complement was very apt (quoth the Duke,) and proper to proceed from them, who had long sithence in their Imagination swallowed up the World as their own; but not to be so easily believed by us, as being no small Offer to part thus suddenly with the one Half at a Blow; however, the Ambassadors took an Occasion hereupon to move his Grace, That now having heard this good Affection of the Conde, he would write to the King to justify them in their former Dispatches in this Kind: Nay, softly, answer'd the Duke, these are but Generals, when I find the Particulars tuneable hereunto, I shall be ready to relate it to his Majesty.'

'The next Day after when the King and the Prince had met in the *Parado*, and performed their Inter-

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Interview and mutual Ceremonies, the Conde taking the Duke into his Coach and Mr. *Porter* for his Interpreter, falling into a Discourse of the Match, he said unto the Duke, Let us dispatch this Match out of Hand and strike it up without the *Pope*. The Duke answer'd, He liked the Manner very well, but desired to understand the Means. Why? the Means (quoth the Conde) is very easy: It is but the Conversion of the Prince, which we cannot conceive but his Highness intends upon his Resolution of this Journey. His Grace answer'd forthwith, That with Freedom they came thither, and with Freedom they would return again: They were no Jugglers, neither came they to *Spain* to make new Bargains; the Prince was settled in his Religion, his Conscience was troubled with no Scruple in that Kind; if they struck any more on that String they would marr the Harmony: Then said the Conde, There is no Way, but to send to *Rome* to hasten the Dispensation: To the which Motion his Grace assented, saying, The sooner they did it, the better it was.

Whereupon the Conde wrote his Letter to the Cardinal *Lodovico*, the *Pope's* Nephew, which being shew'd to the Duke, seem'd to him to be very heavy and ineffectual: His Grace desiring therefore to quicken it with such a Postscript, That now the Prince being arriv'd must not be sent back without his Wife; that Delay to a Suitor is a Kind of Refusal; that clogging Instructions would amount to a Denial, and new Conditions to an absolute Breach; the Conde fell into Choler, and said directly, It could not be done. [*This the Prince affirmed to be acted in his Presence.*] Of this Carriage of the Conde, Sir *Walter Aston* made a doubtful, the Earl of *Bristol* a more benign Construction; but the Duke a downright Conclusion that these People never intended either Match or Restitution; and so wish'd his Highness fairly at Home again, and thus the Messenger was dispatch'd to *Rome*.

By

‘ By this Time you must imagine all the Shews An. 21. James I.
1623. and Ceremonies for the Prince his Entertainment past over, and within three or four Days after, his Highness is plac’d to see his Mistress in her Passage through the Streets, as she made her Visits from Church; but unsatisfy’d herewith, and pressing for Access, he was delay’d from Day to Day, although promis’d at first to have it within the Compass of two Days. In the mean Time, the Duke hearing that it was resolv’d in Council, that this Visit should be put off, until the Return of the Dispensation, he ask’d plainly of the Conde, If it were so? who confess’d as much in effect, and gave his Grace this Reason for it, That much Scandal had already been taken in the Court, that the Prince was permitted to have seen the Infanta so publickly in the open Streets, and that the Lady should be thus divulg’d and profan’d.’

‘ The Duke reply’d, He should have done well to have dealt freely with the Prince, and to have acquainted him with so much before: After this, his Highness obtain’d a Visit, but a very strange one, and such a Visit as was never heard of before; he was not suffered to speak to her, but as if he had been upon a Stage; his Part ready conn’d, and nothing else, in so many Words and Syllables as they had dictated the same to him. Here the Prince was pleas’d to acquaint us with the Reason they alledg’d for dealing so measuredly and sparingly with his Highness; they were not Astrologers to foresee the Event of this Marriage; they were uncertain whether it should take Effect or no, and therefore they resolv’d to admit him as a Prince only, but not as a Suitor. This Reason was justly dislik’d, and this Course much suspected by his Highness, as himself now alledg’d, yet the Conde sav’d it up with this Complement, That if the Dispensation were once return’d, he should lie with her even that very Night; nay, have her he should, upon any Terms, if he could not be qualified to enjoy her as a Wife, yet he should have her as a Mistress.’

‘ And

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‘ And now, in part, to entertain the Prince, but principally to prevent more Visits, his Highness is carried to a Country-House, call’d *Aranvieux*. Here he is press’d again to change his Religion, but, being deaf and averse to such a Motion, he is set upon by the Conde, to this Effect, Yet, Sir, be a Friend to our Religion: To the which his Highness answer’d, He was no Enemy to their Religion nor to them that profess it. Soon after, riding in a Coach, it was urg’d again by the Conde, That the Infanta was of a tender Conscience, and if she should come into *England*, and find the Prince an Enemy unto her Religion, it would quite dishearten her; his Highness was therefore mov’d to promise to hear the Lady speak upon that Theme; to this his Highness willingly consented, and told us his Reason, which was very probable, because, his Highness was as like to convert her, as she was to pervert him. Not long after, a Conference with some learned Divines is press’d upon his Highness; which the Prince declin’d for these Reasons:’

First, ‘ If his Highness should be reported in this his first Entrance into the Theatre of the World, to be fickle in his Religion, and to carry these Scruples in his Conscience, it would prove much to his Dishonour in all Parts of *Christendom*.’

Secondly, ‘ Altho’ his Highness (as he profess’d) was not afraid to confer with any Divines; yet, if after Disputation, they should not prevail against a young Man, they would remain much disgusted and ill-affected to the whole Negotiation.’

Lastly, ‘ If the Infanta did please herself, with any imaginary Hope of converting the Prince, this Hope would vanish away for the Time to come, if this solemn Conference prov’d ineffectual: Yet the *Spaniards* were never off from this Kind of Importunity, but spent therein all the Interim until the Return of the Dispensation.’

‘ About this Time, the Conde invited the Prince to treat of the Terms of Friendship; which his Highness put off upon this Reason: Because the emergent

gent Propositions concerning the Restitution of the *Palatinate* may prove a Stay and Remora to the hastening of the Dispensation and the speeding of the Match; whereas, were it once fairly concluded, there would be little Doubt, but the Restitution would be effected; and therefore it was, as his Highness told us, that the Treaty of the Restitution was set aside at this Time, though ever held fit, and intended to go hand in hand with the Treaty of Marriage.

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‘ Six Weeks after the Prince his Arrival, arriv’d the Dispensation; which, contrary to many former Professions, was four or five Days conceal’d from his Highness: At the last, the Duke having Intelligence thereof did call for it, and so a Committee is appointed to treat thereof, and the Prince attended the Business in Person; but, upon the first Opening of Particulars, the Conde was put to School, and shew’d himself to understand never a Word either of the Match or of the Restitution of the *Palatinate*: The Articles being propounded to the Prince his Consideration, his Highness most judiciously refused to treat, unless he might have Assurance they should be all cleared and accommodated upon the Place, without sending to *Rome* to new-mould them; because his Highness understood from *Rome*, by Mr. Gage his Letter, that the Dispensation was return’d much clogg’d in Matter and Manner; and, especially, with that annex’d new Condition, That the King of *Spain*, before the receiving of the Dispensation, was to take an Oath to see all the Articles, whereupon the Faculty was issued, really perform’d; or else to make War, in case of any Failure, upon the King of *England*: A very odd Conjunction with Matters of Alliance, as the Prince well observ’d. His Highness put the Question to the Committee, Whether their King could, and whether he would take this new-found Oath? They answer’d, That the acting thereof must wholly depend and relate to the Prince his facilitating, here in *England*, some Kind of Connivance in Matters of Religion: Hereupon

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upon the Prince signified to them his Resolution, that he neither could nor would alter any Thing in the first Articles sent from *England*, on which the Treaty began.—And here the Duke made a Remonstrance unto us, That if any Thing concerning Religion might seem to be added, (for the Prince said, that nothing was so added indeed) wherewith his Majesty was not formerly acquainted, that it was not the Prince nor his Grace's Fault: Nay, in one of the Articles sought by the *Pope*, and comprehended in the Prince his private Promise, a great Contestation arose between the Earl of *Bristol* and the Duke; wherein his Grace said, he shewed himself resolute, which the Earl term'd *Opinionastre*, alledging, That the Point in Question was already agreed upon, at least, in Intention, between the two Kings. This the Duke deny'd, and was fithence justified in his Denial by the King's Majesty.'

'And now the Juncto of Divines are met together, to resolve the Case of Conscience upon that Preparation and Predisposition of Things and Actions, whether their King might safely take the Oath? At this his Highness enquir'd, What that meant? But Answer was made, That it was only for Form Sake, and should not delay the Business the Length of one Hour; as the Prince was pleas'd to tell us: But the Truth is, this Committee was the Conde's Wheels, wherewith he set the whole Frame of the Business backward and forward at his own Pleasure.'

'By this Time, the Prince hath gone thro' all the Articles together with the rest of the Committee, and leaving three undecided, That of the Church; that of the Nurse; and that of the Education of the Children; which his Highness reserved until he should speak with the King himself; and going with the Conde in his Coach, he acquainted him with his Resolution for those three Particulars; which, the Conde writing down in a Pair of Table-Books, said, That now the Business

was

was in a better Way than ever : It was a Match, An. 21. James I. 1623. and, without more ado, she was his Wife.

‘ But, the very next Morning, came the Marquis of *Montes Claros* and the Conde de *Gondamores*, and spake to the Prince of the same Match, as of a new Thing ; and told him plainly, That unless his Highness came to all the Conditions of the Dispensations, as they were sent from *Rome*, clearly and entirely, nothing would be done ; for they had no Power to remove or alter so much as a Word of false *Latin* : Whereupon his Highness was justly distasted, and offered to break ; for, as himself told us, this was the first Time he saw clearly they wanted to juggle with him ; for the which Alteration and Change of Councils all the Excuse they offered was this, That they were Beasts, and blind, and could not read their own Language.’

‘ The Prince, thus resolv’d to take his Leave, the Conde stays him with a double Proposition : Either to send to *Rome* to have the Articles, as they were agreed upon, confirmed by the Conclave ; or else to send to *England*, that the King our Master might be drawn unto them, Word for Word, as they came from *Rome* : To the which his Highness return’d this Answer, That he accepted of both Offers, as in due Form and Manner ; that they should send to *Rome*, and himself would repair into *England*, to dispose his Father to this Effect, and to facilitate the Negotiation. And here the Prince declared his Resolution to procure either a fair Breach or a speedy Dispatch. The Conde, finding this to amount to a Breach, thereupon made a new Proposition, That the Prince would be pleased to stay twenty Days, until our Master’s Answer might be had from *England*.’

‘ Here the Prince told us how the Earl of *Bristol* had said unto him, That this was but a mere Punctilio ; and that he receiv’d it from very good Hands, that if his Highness made Shew to yield unto this Proposition, he should not be tied thereunto ; but (said his Highness) when I had once de-
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terminated to stay, I never heard more of the Punctilio, but was fast bound to real Performance.'

'After this the Conde and the Earl desir'd the Prince to speak no more of his Return in this Sort; for if he did, they would quarrel with it as amounting to a kind of Menace or Threat; whereupon the Duke answered, That this they could not do, because the Prince bare himself as too well satisfied with the Journey, and no way distast'd at all with any Occurrences in *Spain*; but troubled only with that clogging of Articles which happen'd in *Rome*. But the Earl of *Bristol* replied, That he knew from good Hands, that if his Highness stay'd, they would presently fall to Business. The Prince then resolv'd to stay, upon Condition, that Sir *Francis Cottington* might be dispatch'd away within two Days; and a Courier might overtake him with the Articles that should be sent after, as soon as ever they could be made ready, which his Highness well hoped might have been the very next Day; his Highness took Care hereby, lest the Health of his Secretary, upon whom the Dispatch of the Business wholly depended, might be impair'd with any extraordinary Riding: This Condition of his Highness, although the Conde (to gain more Time) much oppos'd, and would have Sir *Francis* stay'd there untill the Articles should be perfectly digested; yet, by the Prince's fix'd and constant Resolution, the Contrary was at the last obtain'd. And now the Articles are laid upon the Anvil again, and the two Days of their Hammering spun out to twenty; at the End whereof they brought them in with new Additions and Alterations, hoping that his Highness, through Haste or Unadvisedness, would shut his Eyes, and sup them up without more ado. But the Prince read them, found out the Alterations, and upbraided them with the Practice; and when they excused themselves, as ignorant of the Form, the Prince offer'd to help them with a Precedent, *viz.*'

'That taking the Oath used in the Marriage-Treaty between King *Philip* and Queen *Mary*,
and

and adding to it each Article agreed upon, they might draw it up accordingly; whereupon they snatch'd the Paper out of the Prince's Hand, as resolv'd to pursue this Direction; but, a Sevensnight after, brought them back again, as raw and untoward as ever they were, so as the Prince was fain to take them in Hand himself; who, by the Ministry of the Earl of *Bristol*, fram'd them up in a few Hours, to the full Approbation of all the Committee; but (as the Duke observ'd) it was not the Dispatch of the Business, but the Approach of the Heats, and, consequently, the Stay of the Prince, which was the principal Object of the *Spanish* Counsellors.

The Articles being at the last sent into *England*, the Juncto of Divines delivered their Opinions, that the Infanta could not be sent over before the Spring ensuing: But the Prince remembering a former Promise, that the Juncto should not retard his Negotiation for one Hour, resolv'd once more to break the Treaty upon this Occasion. This put the Conde to his Invention again, and caus'd him to make to the Duke and Sir *Walter Aston*, another Proposition; That if the Prince would stay till their Ambassadors should certify out of *England*, that the Articles were assented to by our King, and put in Execution; then the Lady should go over with his Highness, this Vote of the Divines notwithstanding. His Grace answer'd to this Proposition, That it was yet worse in Substance than the other; for the Ambassadors may be sinisterly affected; besides, it was a Business of no small Importance to connive at so many Laws as were pointed at in the Articles; many Occasions of Complaint might intervene hereupon, in the large Circuit of *England, Scotland and Ireland*; the Ambassadors might take a false Alarm thereby, and return their Certificate accordingly; and so the Prince's Stay should be frustrated and made of no Effect. Then the Conde desired the Duke to go in unto the Commissioners, who were sitting hard by, and to ask them their Opinions, how the Dis-

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faculties might be facilitated; the Duke replied, That he knew it was but lost Labour to go from him, the proper Oracle, to these Commissioners for the Assoyling of that Riddle; yet the Conde pressed his Grace to do so; and the Duke stepping forwards, towards the Committee-Chamber, was called back by the Conde, and desired to put the Question after this Manner: What Requitall or Satisfaction shall the King of *Spain* return for the Favour the Prince had done him by undertaking this Journey? To which his Grace replied, That now the Question was varied, and the State of it alter'd; Yet (quoth the Conde) for my Sake, make your first Approach upon them with this Question. The Duke to satisfy the Conde, went in unto them, who wonder'd much to see him; he told them, he came by the Persuasion of the Conde, to propound this Question to them, What Requitall or Satisfaction, &c.

'They look'd one upon another; and, in the End, one of them gave him Answer, That he should return to the Conde, and take from him Satisfaction to his Question.'

'And so the Duke went back to the Conde, who presently required what Answer he had received; the Duke told him, Such a one as he expected, and if they had given him any other, they had not so well deserved that great Trust and Employment in the State, which the King had most prudently impos'd upon them. Why, quoth the Conde, What was their Answer? Surely, said the Duke, to hold you no longer, it was this, That I should return back again to you to know it. With that, the Conde rapp'd with his Staff, and, calling in the Chancellors, he spake unto them in such a perplexed Stile, as though he would have them understand his Meaning (but yet for fear the Duke should do so too) by any Thing rather than by his Words. At the last, the Bishop of *Segovia* answer'd his Grace to this Effect, He had heard somewhat of the Estate of our Kingdom, and had receiv'd it from good Hands, That our King could not make a Toleration

tion without a Rebellion; and he easily believ'd it, An. 21. James I. 1623. because the King of *Spain* is not able in his Dominions to effect the like Enterprize, without incurring the like Danger; and therefore concluded it was unsafe to send the Lady thither at this Time; because we having granted as much, in effect, as a Toleration, it was very probable she should be welcomed with a Rising and Rebellion. To the which the Duke replied, That if the Favours, which the King his Master had extended to his Catholics, at the Mediation of that King and the Advice of that very Committee, be of so dangerous a Consequence, it seem'd their Lordships, who gave their Advice for the Articles, then knew they portended Rebellion. But you must know (quoth the Duke) that if his Highness had been of my Lord Bishop's Opinion, that those Connivances had amounted to a Toleration, he had never accepted of these Articles to have gained any Alliance in the whole World: This was but a temporary Suspension of penal Laws, but no Toleration; which was never offer'd to be thrust upon the State of *England*, but by Consent of Parliament. Then they all look'd wishfully at *Gundamore*, as the Surveyor General of *England*, and Author of that Intelligence; so that, being eyed by them all, and in a Manner pointed out, he said, I must confess, the King of *England* is a very learned King, hath govern'd long, and is very rich in the Hearts of his Subjects; yet do I not hold it fitting to send the Infanta thither before the Articles be perfectly put in Execution; nay, Sir, you know very well, that I have formerly dealt very plainly and freely herein with the King of *Great Britain*. To this the Duke replied, That now he had provok'd him very far, for he had been acquainted with the Treaty from the Beginning, and never yet heard a Word fall to that Purpose; nay, on the contrary Side, the Conde de *Gundamore* offer'd to our King the Daughter of *Spain*, and begg'd this Alliance merely for the Alliance Sake, without any Prejudice to the present Government, or the Religion establish'd.

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And that when we objected the Disadvantage of treating with the Catholic King, because of that back Door, to slip in and out at, at his Pleasure, (to wit) the *Pope's* Consistory; *Gundamore* replied, The *Pope* durst not but dispense with this Match, if *Spain* so required; and, for Proof, alledged divers Instances of Business resolv'd in *Spain*, though disliked by the *Pope*; to which notwithstanding his Holiness gave his Consent for mere Fear lest his Assent should not be expected or required. The Conde de *Gundamore* took this very offensively at the Duke's Hands, to be told of those Stories in *Spain*, which he had provided for the Meridian of *England*; and did his Grace no good Offices from that Time forward, which the Duke little regarded; yet one of his Requitals is very memorable, that at the very same Instant, he infus'd into the Prince's Highness that the Duke was in Heart (as he said all his Kindred were) a Roman Catholic; and, to a Jesuit of great Account and Zeal in those Parts, that he was a most obstinate, perverse and refractory Puritan, which bred his Grace much Hatred among the Zealots in those Parts.

'About this Time it was reported, that his Highness made some Provision to steal out of the Country secretly; and it is very true that Ways were laid to intercept him, and in such a Case to detain him openly and avowedly as a Prisoner. Hereupon, my Lord Duke was sent unto them with this brave Remonstrance, That altho' they had stolen thither out of Love, they would never steal from thence out of Fear; and, however, others were guilty of thinking, they two should never be guilty of taking so poor and unworthy a Course.'

'And the Prince making about that Time a Dispatch unto his Father, sent unto him this Message, by Mr *Graymes*, That if his Majesty should receive any Advertisement that he was detained by that State as a Prisoner, he would be pleas'd, for his Sake, never to think upon him any longer as a Son; but to reflect, with all his Royal Thoughts, upon the Good of his Sister, and the Safety of his King-

Kingdom; nevertheless, the Prince commanded An. 21. James I.
Graymes not to deliver this Message, unless he heard 1623.
 that his Highness was there detain'd.

‘ And thus far extended the *second* Part of the
 NARRATIVE, The *Treaty* of the *Match*, as it
 stood severed and divided.’

III. The TREATY of the MATCH and RESTITU-
 TION reciprocally subordinated.

‘ When the Prince had refus'd the former Pro-
 position of the Conde, to expect the Certificate
 from the *Spanish* Ambassadors, and was resolv'd to
 stay no longer; the Conde betakes himself to his
 last Anchor, and offer'd to his Highness, in case
 he would accept of the Time of the Infanta's going
 at the Spring, in a blank Paper to set down his own
 Conditions for the Restitution of the *Palatinate*.
 To this his Highness began to listen, as well re-
 membering his Father's Commandment laid upon
 him at his Departure, that, together with his Alli-
 ance, he should endeavour to the utmost of his
 Power, the Peace of *Christendom*; he therefore sent
 the Duke and Sir *Walter Aston* to the Conde, to
 know whether he meant seriously and really in this
 Offer.’

‘ The Conde avow'd that he did; and that this
 was the only Way now left to gain the *Palatinate*
 by Way of Treaty, otherwise the King our Ma-
 ster must re-conquer it with Arms if he will have
 it. This being justified to the Prince, by the Duke
 and the Interpreter, (whom, in every Employ-
 ment, the Duke brought still to the Prince for the
 Witness of his Negotiation) his Highness, to pre-
 vent the further Shedding of Christian Blood,
 yielded to the Proposition for his Stay.’

‘ Here it is fit to observe this Passage, which is
 the Thing upon which all his Highness's subsequent
 Actions are turned and moved: He had never staid
 a Se'nnight longer in *Spain*, he had never left any
 Proxy with the Earl of *Bristol*, he had never taken
 any Oath at the *Escorial*, or so much as ever written
 a Let-

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An. 21. James I. 1623. a Letter of Compliment to the Lady; but that he had still before his Eyes as his Land-Mark, the Promise made by the Conde for the Restitution of the *Palatinate*. This one Observation will serve as a Torch, to cast not only a Light, but a Lustre, upon all his subsequent Actions.

‘At this Stay of the Prince’s, there appear’d generally in the Court, great Alacrity, such Caresses and Expressions of Joy, as the Duke professed he never saw the like.’

‘His Grace laying hold upon this good Humour, thought it best striking when the Iron was hot; and begun to cast about how to shorten these Months, and to hasten the Delivery of the Lady. He presented unto the Conde, how his Master was now in Years, the Prince was his only Son, and he long’d to see Issue by him. That his Highness would suffer much in his Honour and Reputation, to return Home without his Wife; that the Infanta coming in his Company would open to her a wide Passage into the Hearts and Affections of all the People; that this would kill, in the very Root, the Practices of other Princes to divert this Alliance; and lastly, this would put an eternal Obligation upon the Duke himself, and a glorious Lustre and Repute upon his present Journey and Employment.’

‘The Conde said hereupon, That he was bewitch’d with these Reasons, and assur’d the Duke his Motions should take Effect, only the Prince must not be acquainted therewith; but himself would suddenly prepare for the Voyage, and would needs have the Prince name a Day for his Departure, which accordingly was design’d and appointed.’

‘This News either came indeed, or was pretended to have come, to the Infanta. She is suppos’d to take it exceedingly ill; and the Condesa d’*Olivares*, who hath the Care of her Education, sent unto the Prince, that it became him not to forsake the Company of such a Lady, for the gaining of a poor Circumstance of Time, after so many and

so extraordinary Expressions of Love and Affection; Aug. 21. James I.
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and upon her Assurance that no Advantage should be taken of that Promise, prevail'd on his Highness to return this Compliment, that rather than give her Highness any Disgust, he would stay for her seven Years. The Conde (who winked thro' his Fingers at these Actions of his Wife) being press'd to prepare for the Infanta's going (according to that Enchantment the Duke had cast upon him) burst out into Oaths; and demanded, If they thought he had nothing else to do with his Master's Money, but to throw it out of the Windows in this kind: And when the Prince replied again, That if he were so careful a Steward for his Master, his Highness himself would defray the Preparations; he refused the Offer, and said, his Master expected no such Supplies. By this Time Sir *Francis Cottington* arriv'd with all Things perfected by the King, and Letters of good Satisfaction from the Ambassadors, and a Command from our King unto his Highness, to make his Return within one Month after the Reception of these Letters. When the Prince expected to have found them wrapt in an Extasy of Joy, they were in much Disorder at the Hearing of the News; and infinitely troubled that his Majesty had so well and so quietly overcome so many Particulars. Here the Duke made his Annotation, That he did not positively affirm they meant to have bred any Stirs in *England*; but this he well remembered, that when the Prince, to dispute them out of their unreasonable Demands in Matters of Religion, objected against them, this Danger of Rebellion, they replied again, That if he fear'd any such Thing, he should be waited upon into *England* with a good and strong Army to decide all Controversies in Religion: A Courtesy, as the Lord Keeper observ'd in reporting the same, better understood in *Milan*, *Naples*, and *Germany*, than hitherto (God be thank'd) in this Island; but the Prince told us his own Answer to this Compliment of theirs was, That the Remedy was worse than the Disease.

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‘ Yet all this while there was no Preparation made by the Conde, not so much as for the Prince’s Journey; which his Highness said, was therefore deferr’d in Hopes to have made him fast and betrothed before his Departure.’

‘ Upon the Certificate of the Ambassadors brought by Sir *Francis Cottington*, the Duke pressed the Conde with his former Promise to deliver the Lady now, the Condition being perform’d: The Conde told him, The Time was past; and tho’ his Grace offer’d to tarry the very Brim of Winter for her Company, yet was the Motion slighted, and the Duke desir’d to trouble himself no more with any Thoughts to that Purpose.’

‘ About this Time the Conde renew’d the Treaty for the Restitution of the *Palatinate*; saying, The Lady should by no Means go into *England* before that Business was accommodated: And after Conference with the *German* Ambassadors, there was projected a Restitution of the Land to the Son, upon Condition of a Marriage with the Emperor’s Daughter, which the Prince did not dislike; but there was added withal, another Condition, that his Son should be bred in the Emperor’s Court, which his Highness utterly rejected.’

‘ As concerning the Prince *Palatine* himself, he must, like *Cain*, have a Mark of Infamy upon his Person; and, for his Electorate, it was a Thing in *Nubibus*, which hung in the Air, and altogether beyond their Reach and Power; nor would they by any Means undertake the same.’

‘ Then the Prince demanding of the Conde, Whether, in case the Emperor prov’d refractory, the King, his Master, would assist him with Arms, to reduce him to reasonable Terms?’

‘ The Conde answered negatively; because they had a Maxim of State, That the King of *Spain* must never fight against the Emperor.’

‘ He had, indeed, (for it was not to be denied) dealt very ill with them in this Particular; but if he should beat and buffet them, they would not promise to employ their Forces against the House of

of *Austria*. Hereupon his Highness made his Protestation to the Conde, Look to it, Sir, for if you hold yourself to that, there is an End of all; for, without this, you may not rely upon either Marriage or Friendship; for I must, as I am required, return to my Father, and acquaint him with your Resolution in this Point. Look for neither Marriage nor Friendship without Restitution of the *Palatinate*.

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‘ Yet was not the Earl of *Bristol* so absolutely persuaded of the Prince’s Resolution; for he offered (as was related in the House of Commons) to lay with him a Ring worth 1000 l. that for all his Father’s Letters, his Highness would keep his *Christmas* at *Madrid*; which Wager the Prince laid with him, and gave away his Ring before his Face.’

‘ About the Time it was concluded that the Infanta should not come away with the Prince, the Duke took occasion to open his Mind with some Freedom to the Conde *d’Olivares*: He had put him in mind how he had formerly told his Grace, That they in *Spain* could do with the *Pope* what they would; and that his Holiness never assented to the Dispensation, untill they had said it was full Time, and had given him his proper Cue: And that the Conde was the Cause of calling the Juncto of Divines; which the Conde confessed, saying, That the Devil had put it into his Head so to do. Also that the Conde had offered to his Grace the present conducting of the Lady, so as he would but endanger his Soul for the Favour, and turn Roman Catholic. To all this the Conde made Answer, That there were but three Ways to wade thro’ this Business; whereof two were good, the third an ill one: The first good one was the Conversion of the Prince, which now he found was absolutely impossible: The second good Way was, that as they were obliged by the Prince’s free coming into *Spain*, so they, with the like Freedom, to deliver up the Infanta into his Hands, trusting him without further Condition: And the third

Way,

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Way, which he said was a very ill one, was to wrap him and swaddle him up, as hard as they could, with nice Articles and strict Conditions. Whereupon the Duke replied, they had made *Medea's* Choice; discovered the best, and chosen the worst of all the Ways. The Conde replied again, That if he were a Counsellor at large, he would advise the King to commit the Infanta unto his Highness freely and absolutely, without Conditions: So would he do, if he were King; and, as he was, he would do so, if the King was thirty Years of Age; but, being a Favourite, to answer the Actions of a minor King, (altho' he cannot deny but it lies in his Power) yet he resolved, the Infanta shall not go along with his Highness, but upon these Conditions.

Thus, by this Time, the bravest Prince in *Europe* is grown cheap and vulgar in the Court of *Spain*, so as they scarce bestow a Visit on him; and the Conde came very seldom at him, pretending, for a Reason, that his Highness looked but heavily on him. In fine, the Duke was fain to negotiate the Condesa, to procure her Lord to vouchsafe, now and then, to look upon his Highness.

About this Place the Duke declared to us how, in the Flashings and Lightnings in the Conde's Favour towards him, these two Letters came to be produced, which are to be read by and by. The Conde, when in the good Humour, told his Grace, That now certainly it was to be a Match, and that the Devil could not break it. The Duke replied, he thought so too; and that the Match had need be firm, which had been seven Years in soldering.

The Conde denied it, and said plainly, it had not been really intended seven Months. The Duke rejoined, That if he were sure of that, he could ingratiate himself very much with his Master, and receive many Thanks for his Journey and Employment; if he could make it appear to the King, that the Marriage was the Produce of this Negotiation only. Then said the Conde, I will fetch that out of my Desk that shall assure you thereof;

thereof; and so produced these two Letters: The An. 21. James I. 1623. first was written with the King of Spain's own Hand; then read over five or six Times, and the Substance collected in their Memory, by the Prince and Sir *Walter Aston*, (the Duke having promised it should not be copied, and indeed the Time not permitting to do it) and, by and by, after set down in Writing; if we remember who were the Notaries, we need not doubt but it is authentically taken. The second Letter is translated by the Prince himself.

The King of SPAIN's LETTER of the 5th of November, 1622.

THE King, my Father, declared at his Death, that his Intent never was to marry my Sister, the Infanta Donna Maria, with the Prince of Wales; which your Uncle Don Baltazar understood, and so treated this Match ever with Intention to delay it; notwithstanding it is now so far advanced, that, considering withall the Averseness of the Infanta to it, it is Time to seek some Means to divert the Treaty, which I would have you find out, and I will make it good whatever it be; but, in all other Things, procure the Satisfaction of the King of Great Britain, who hath deserved very much, and it shall content me, so that it be not in the Match.

The Conde d'OLIVARES's LETTER of the 8th of November 1622, touching the Marriage.

S I R,

Considering in what Estate we find the Treaty of the Marriage between Spain and England, and knowing certainly how the Ministers did understand this Business, that treated in the Time of Philip III. (now in Heaven) that their Meaning was never to effect it; but by enlarging the Treaties and Points of the said Marriage, to make Use of the Friendship of the King of Great Britain, as well in the Matters of Germany as of Flanders; and suspecting likewise, that your Majesty is of the same Opinion, altho' the
De-

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Demonstrations do not seem so joining to these Suspicions; yet it is certain, that the Infanta Donna Maria is resolved to put herself into the Discalzes (k), the same Day that your Majesty shall press her to make this Marriage; I thought fit to represent unto your Majesty that which my good Zeal hath offered unto me on this Occasion; thinking it a good Time to acquaint your Majesty withall, to the end you may resolve of that which you shall find most convenient, with the Advice of those Ministers that you shall think fit.

The King of Great Britain doth find himself, at this Time, equally engaged in two Businesses; the one is the Marriage, to which he is moved by the Conveniences that he finds in your Majesty's Friendship, without making an Agreement with those Catholics that he thinks are secretly in his Kingdom, and by this to assure himself of them; as likewise to marry his Son to one of the House of Austria, knowing that the Infanta Donna Maria is the best born Lady in the World. The other Business is the Restitution of the Palatinate, in which he is yet more engaged; for besides that his Reputation is at the Stake, there is added the Love and Interest of his Grand Children, Sons of his only Daughter; so that, both by the Law of Nature and Reasons of State, he ought to put them before whatsoever Inconveniences might follow from dissembling what they suffer.

I do not dispute whether the King of Great Britain be govern'd in this Business of the Palatinate by Art or Friendship: I think a Man may say he used both; but, as a Thing not precisely necessary to this Discourse, I omit it. I hold it a Maxim, that those two Engagements, in which he finds himself, are inseparable; for altho' the Marriage be made, we must fail in that, which, in my way of Understanding, is most necessary, the Restitution of the Palatinate.

This being supposed, having made this Marriage in the Form as it is treated, your Majesty shall find yourself, together with the King of Great Britain, engaged in a War with the Emperor and the Catholic League; so that your Majesty will be forced to de-

clare

(k) A Monastery so called.

clare yourself, with your Arms, against the Emperor An. 21. James I. 1623. and the Catholic League; a Thing which, to hear with this Uncertainty, will offend your godly Ears; and, declaring yourself for the Emperor and the Catholic League, (as you certainly will) your Majesty will find yourself brought into a War against the King of England, and your Sister married with his Son; with the which all whatsoever Reasons of Convenience, that were thought upon with this Marriage, do cease. If your Majesty shall shew yourself neutral, (as it may be some will propound) That will give cause of very great Scandal; and with just Reason, since, in Matters of less Opposition, than of Catholics against Heretics, the Arms of this Crown have taken the godly against the convenient Party: And, at this Time, the Frenchmen somenting the Hollanders against your Majesty, your Piety hath been such, that you have sent your Arms against the Rebels of that Crown; leaving all the great Considerations of State, only because these Men are Enemies to Faith and the Church.

It will oblige your Majesty, and give Occasion to those of the League to make Use of the King of France and other Catholic Princes ill-affected to this Crown; for it will be a Thing necessary for them to do so; and those, even against their own Religion, will soment and assist the Heretics for Hatred to us; without doubt they will follow the other Party, only to leave your Majesty with that Blemish that never hath befallen any King of these Dominions. The King of England will remain offended and disobliged, seeing neither Interests nor Helps do follow the Alliance with this Crown; as likewise with Pretext of particular Resentment, for having suffered his Daughter and Grand-Children to be ruined for Respect of the said Alliance.

The Emperor, tho' he is well-affected, and obliged to us in making the Translation at this Time (1), as Business now stands, the Duke of Bavaria being possessed of all the Dominions; altho' he would dispose
all

(1) The Translation of the Palatine Electorate to the Duke of Bavaria.

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all according to our Conveniences, it will not be in his Power to do it, as your Majesty and every Body may judge; and the Memorial that the Emperor's Ambassador gave your Majesty Yesterday maketh it certain; since, in the List of Soldiers, which it maketh every one of the League to pay, he shews your Majesty, that Bavaria, for himself alone, will pay more than all the rest together; the which doth shew his Power and Intention, which is not to accommodate Matters, but to keep to himself the Superiority of all in this broken Time. The Emperor is now in the Dyet, and the Translation is to be made in it.

The Proposition in this Estate is by considering the Means for a Conference, which your Majesty's Ministers will do with their Capacity, Zeal, and Wisdom; and it is certain they will have enough to do with it all: For the Difficulty is to find a Way to make the present Estate of Affairs streight again; which, with lingering, as it is said, both the Power and Time will be lost. I suppose that the Emperor, as your Majesty knoweth by his Ambassadors, desires to marry his Daughter with the King of England's Son; I do not doubt but he will be likewise glad to marry his second Daughter with the Palatine's Son; then I propound that these two Marriages be made, and that they be set on foot immediately, giving the King of England full Satisfaction in all his Propositions, for the more strict Union and Correspondency, that he may agree to it. I hold it for certain, that all the Conveniences that would have followed the Alliance with us, will be as full in this, and the Conveniency in the great Engagement is more by this; for it doth accommodate the Matter of the Palatinate, and the Succession of the King of England's Grand-Children, with Honour, and without drawing a Sword or wasting Treasure: With this Interest the Emperor, with the Conveniences of the King of England and the Palatinate, (the only Means, in my Way of understanding, to binder those great Dangers that do threaten) may readily accommodate the Business, without severing himself from the Convenience and Engagement of Bavaria. Then I would reduce the Prince Elector, that

that was an Enemy, to the Obedience of the Church, An. 21. James I. 1623.
by breeding his Sons in the Emperor's Court with Catholic Doctrine.

The Business is great, the Difficulties greater than perchance have been in the other Case. I have found myself obliged to represent unto your Majesty, and shall shew, if you shall command me, what I think fit for the disposing of these Things, to the great Ministers that your Majesty hath. I hope, with the particular Notice of these Things, and all being help'd with the good Zeal of the Conde de Gundamore, it may be God will open a Way to a Thing so much for his and your Majesty's Service.

' It was observ'd, by reason of the pertinent Question moved by the Lord Chamberlain, that these Letters were written when Porter was in Spain.'

' His Highness remembered, that Sir Walter Aston was struck mute at the reading of these Letters; for, upon the Death of the late King of Spain, he and Sir Francis Cottington, going from our Master to the King that now is, to know his Mind concerning the Treaty of the Marriage, received from that King, and return'd it to his Majesty, That he was very sorry that he had not the Honour to begin it; but now he would pursue it with all Alacrity. It went before in his Father's Lifetime; it shall run now: Then it had leaden Heels; he would now give it Wings'

And hitherto extends the *third Part* of the NARRATIVE, which comprehends the *Treaties* of the *Marriage* and *Restitution*, as united, and now reciprocally subordinated the one to the other.

IV. The PRINCE'S RETURN from Spain.

' And now the Prince returning for *England*, being engaged to leave his Proxy, did deposite the same in the Hands of the Earl of *Bristol*, who was to keep it as his Proctor; that is, as he should receive his Highness's Directions from Time to

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Time. His Order for the present was, That if a Confirmation came from *Rome*, clear and entire, which it did not, then within so many Days he should deliver it to the King of *Spain*. A second Direction was sent unto him by a Letter, which his Highness sent unto him between his Departure from the *Escurial* and his Coming to the Sea-Side, to this Effect; That for fear a Monastery should rob him of his Wife, he should stay the Delivery of the Powers untill that Doubt was clear'd; and that his Highness should send him, in the Premises, some further Direction.'

' Here, because my Lord of *Bristol*, in his Letter of the first of *November*, 1623. (which follows anon in this Discourse) doth press so vehemently the Prince's Faith not to retract his Proxy; and that *Serica*, the Secretary, had inserted such a Clause in the Instrument, sign'd and seal'd authentically; the Lord Keeper, in his Report in this Place, collected all those Parts of the Narration which might serve to clear this Act of his Highness; and added some Reasons to maintain the same.'

' *First*, The Prince avowed openly, before both Houses, That he had never, by Oath or Honour, engaged himself not to revoke the Powers, more than by the Clause *de non revocando Procuratore*, inserted in the Instrument itself.'

' *Secondly*, His Highness added in the Upper House, That when he himself first heard that Clause read, he stumbled at it; but was answered again, that it was but a Matter of meer Form, and, tho' essentially of no binding Power, yet usually it is thrust into every such Instrument.'

' *Thirdly*, The Lord Keeper said, and appealed therein to all the Civilians attendant in that House, That it is lawful, by the Civil and Common Law, for any Man to revoke his Proxy for Marriage, notwithstanding it hath the Clause *de non revocando Procuratore* inserted in it; yea, and this may be done without any solemn Notification thereof: And therefore he concluded, that the Earl of *Bristol*, in charging this upon the Prince, had therein
for-

forgot himself; and that his Highness might justly, An. 21. James I. 1623. honourably, and legally, not only have stopp'd as he did, but withall, if he had so pleased, absolutely have revoked his own Proxy.'

And thus much of the *fourth Part* of the NARRATIVE, Of the *Prince's Return* from Spain.

V. *The SUBSEQUENT PROCEEDINGS of his MAJESTY in both the Treaties, since the Return of his Highness.*

' And here the Duke told us how the Prince, at the last, by the Mercy of God, and his own wise and judicious Demeanor, came to *Royston*; and made his Relation to the King of all that had passed. His Majesty was glad of this exact Carriage of his Son in so great a Negotiation, and told his Highness, That he had acted well the Part of a Son, and now the Part of a Father must come upon the Stage; which was, to provide with all Circumspection, that his only Son should not be married with a Portion of Tears to his only Daughter; and therefore his Majesty commands, by an express Dispatch, that a Stop be put to the Proxy in the Earl of *Bristol's* Hands, untill he had some better Assurance of the Restitution of the *Palatinate*. Hereupon the Lord Keeper observed, That this is no upstart or springing Condition, but that the very same was offered by *Olivares's* blank Papers to his Highness, and pressed by his last Answer to *Olivares*.

His Majesty's LETTER to the Earl of *Bristol*,
October 8th, 1623.

WE have receiv'd yours, brought us by Greyesley, and the Copy of yours to our dear Son: And we cannot forbear to let you know how well we esteem your dutiful, discreet, and judicious Relation and humble Advice to ourself and our Son, whereupon having rightly deliberated with ourself, and communicated with our dear Son, we have resolv'd, with the great Liking of our Son, to rest upon that

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Security, and in point of Doubt of the Infanta's taking a religious Order, which you in your Judgment think meet; we have further thought meet to give you Knowledge, that it is our special Desire, that the Betrothing of the Infanta, with Words de præfenti, should be upon one of the Days in Christmas, New Stile, that holy and joyful Time best besitting so notable and blessed an Action.

But first we will, that you repair presently to that King, and give him Knowledge of the safe Arrival of our dear Son at our Court, so satisfied and taken with the great Entertainment, personal Kindness, Favour and Respect he hath receiv'd from that King and Court, as that he seems not able to magnify it sufficiently: We will therefore, that, by all possible Means you endeavour to express our Thankfulness to that King, and the rest to whom it belongs, in the best and most ample Manner you can.

And hereupon you may take Occasion to let that King know, that, according to our constant Affection, to make a firm and indissoluble Amity between our Families, Nations and Crowns, (and not to seem to abandon our Honour, nor, at the same Time we give Joy to our only Son, to give our only Daughter her Portion in Tears) by the Advice of that King's Ambassadors, who have offered themselves as our Counsellors, we have entered into a Treaty concerning the Restitution of the Palatinate, as will more particularly to you appear, by the Copies herewith sent.

Now, we must remember you, that we have understood and expected, that, upon the Marriage of our Son with the Infanta, we should have a clear Restitution of the Palatinate and Electoral Dignity to our Son-in-Law; to be really procured by that King, according to the Obligation of his own Honour, as you have well express'd in your Reasons why the Person of our Son-in-Law should not be left out of the Treaty, but that the Emperor should find out some great Title, or by encreasing the Number of Electoral Stiles, wherewith to satisfy the Duke of Bavaria. We therefore now require you, that presently, in your first Audience, you procure from that King a punctual Answer

wer what Course he will take for the Restitution of the Palatinate and Electorate to our Son-in-Law; and, in case that either the Emperor or the Duke of Bavaria will oppose any Part of the expected Restitution, what Course the King will take to give us Assurance for our Content in that Point whereof we require your present Answer; and that you so press Expedition herein, that we may together receive the full Joy of both at Christmas: Resting upon that faithful Diligence of yours we have approv'd in all your Service, though, almost with the latest, we must remember to you, as a good Ground for you to work on, that our Son did write unto us out of Spain, That the King would give us a Blank, in which we might form our own Conditions concerning the Palatinate; and the same our Son confirms unto us now: What Observation and Performance that King will make, we require you to express, and to give us a speedy Account.

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Given, &c.

‘ Hereabouts the Duke desired us to observe well the Spanish Proceedings; and if we found them not still to be built upon Generals, without any one distinct or certain particular Obligement, he would acknowledge his own Weakness and Incapacity of those Affairs.’

‘ You would conceive, saith the Duke, that upon this Dispatch, the Earl of Bristol would lay hold upon all the Hints and emergent Occasions to put off the Desponsaries, without this requir'd Assurance of Assistance by Arms first obtain'd: But the Truth is, he did not so.’ For,

First, ‘ The Confirmation came from Rome, clogged and mangled; and, instead of challenging them thereupon, he labours, with no small Strength of Wit, to hide and palliate the same.’

Secondly, ‘ When, in the temporal Articles, the Portion was alter'd from 600,000 l. in ready Cash, to only 80,000 l. in Money, a few Jewels, and a Pension of 20,000 l. per Annum: Instead of

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quarrelling this main Alteration, he seems to approve and applaud the Payment.'

Thirdly, 'For the Assurance of Restitution of the *Palatinate*, the main Foundation of both Match and Friendship, he is so far from providing for it before, (which was the Method prescrib'd him by the King) that he leaves it to be mediated by the Infanta after the Marriage.'

Lastly, 'Instead of putting off the Contract, as any Man in the World (upon the Dispatch from *Reysson*) would have done, he is come to prefix a precise Day for the Desponsaries.'

'These Things appear very plainly, by the Letters of the 24th of *October*, and the 1st of *November*, 1623, which follow.'

May it please your Most Excellent Majesty,

I Have received your Majesty's Letters, of the 8th of *October*, on the 21st of the same Month, some Hours within Night; and have thought it fit to dispatch this back to your Majesty, with all possible Speed; referring the Answer to what your Majesty hath, by these Letters, commanded me, to a Post that I shall purposely dispatch, when I shall have negotiated the Particulars with this King and his Ministers; wherein (God willing) all possible Diligence shall be used.

But, forasmuch as I find, both by your Majesty's said Letters and likewise by Letters which I have received from the Prince his Highness, that you continue your Desires of having the Match proceeded in; I held it my Duty, that your Majesty should be informed, that though I am set free (in as much as concerneth the Infanta's entering into a religious Order) for delivering the Powers left with me by his Highness; yet, by this new Direction I now received from your Majesty, That the Desponsaries should be deferred till Christmas. the said Powers are made altogether useless and invalid; it being a Clause in the Body of the said Powers, that they shall only remain in Force untill Christmas and no longer; as your Majesty
may

may see by a Copy of them, which I send here inclosed.

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Your Majesty, I conceive, will be of Opinion, that this Suspending of the Execution of the Powers, untill the Force and Validity of them be expired, is a direct and effectual Revoking of them; which, not to do, how far his Highness is in his Honour engaged, your Majesty will be best able to judge, by viewing the Powers themselves.

Further, if the Date of these Powers do expire, (besides the Breach of the Capitulations) although the Match itself should not, by Jealousies and Mistrusts, be hazarded, yet the Prince his coming into England at the Spring will be almost impossible; for, by the Time that such new Commissions and Powers shall be, after Christmas, granted by the Prince as may be to the Satisfaction of both Parties, I conceive, so much of the Year will be spent, that it will be impossible for the Fleets and other Preparations to be in Readiness against the Spring: For it is not to be imagined that they will here proceed so effectually with Preparations, untill they shall be assured of the Desponsaries; especially, when they shall have seen them several Times deferred on the Prince his Part, and that upon Pretexs that are not new, nor grew since the granting of the Powers, but were before in being, and often under Debate, and yet never were insisted on to make Stay of the Business; so that it will seem, that they might better have hindered the granting of them, than the Execution of them. Now, if there is no Staggering in former Resolutions, the which, altho' really there is not, yet it cannot but be suspected; and the Clearing of it between Spain and England will cost much Time: I must humbly crave your Majesty's Pardon, if I write unto you with the Plainness of a true-hearted and faithful Servant, who has ever co-operated honestly to your Majesty's Ends, if I knew them.

I know your Majesty hath long been of Opinion, that the greatest Assurance you could get, that the King of Spain would effectually labour the entire Re-stitution of the Palatinate, was, that he really proceeded to the effecting of the Match: And my In-
structions,

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Instructions, under your Majesty's Hands, were to insist upon the Restoring of the Prince Palatine; but not so to annex it to the Treaty, as that thereby the Match should be hazarded; for that your Majesty seem'd confident, that they here would never grow to a perfect Conclusion, without a settled Resolution to give your Majesty Satisfaction in the Business of the Palatinate. The same Course I observed in the Carriage of Business by his Highness and my Lord Duke at their being here; who, though they insisted upon the Business of the Palatinate, yet they held it fit to treat of them distinctly; and that the Marriage should proceed as a good Pawn for the other.

Since their Departure, my Lord Ambassador, Sir Walter Aston, and myself, have much pressed to have this King's Resolution in Writing concerning the Palatinate; and the Dispatches which your Majesty will receive herewith, concerning that Business, were written before the Receipt of your Majesty's Letters: And, doubtless, it is now a great Part of their Care, that that Business may be well ended, before the Infanta's coming to England: And his Highness will well remember, that the Conde d'Olivares often protested the Necessity of having this Business compounded and settled before the Marriage; saying, otherwise they might give a Daughter and a War within three Months after, if this Ground and Subject of Quarrel should still be left on Foot. The same Language he hath ever held with Sir Walter Aston and myself, and that it was a firm Peace and Amity, as much as any Alliance, which they sought with his Majesty. So that it is not to be doubted but this King, concluding the Match, resolveth to employ his utmost Power for your Satisfaction, in the Restitution of the Prince Palatine. The Question now will be, Whether the Business of the Prince Palatine, having Relation to many great Princes that are interested therein, living at great Distance, and being, for the Condition and Nature of the Business itself, impossible to be ended but by a formal Treaty, which of Necessity will require great Length of Time; the Conclusion of the Match shall any Way depend

depend on the Issue of that Business? Which I conceive to be far from your Majesty's Intention; for so the Prince might be kept unbetrothed, by the Averseness of those that might have particular Interest in the Prince his remaining unmarried, or Dislike of his matching with Spain. But this which I understand to be your Majesty's Aim, is only to have the Conclusion of his Match accompanied with as strong an Engagement as can be procured from the King, for the joining with your Majesty, not only in all the good Offices for the entire Restitution of the Palatinate, but otherwise, if Need require, of his Majesty's Assistance herein. I have these many Days past laboured with all Earnestness, and procured the King's public Answer; which, I am told, is resolved of, and I shall, within these few Days, have it to send to your Majesty; as likewise a private Proposition, which will be put in your Hands: And shall not fail further to pursue your Majesty's present Directions, of procuring the King's Declaration, in what Sort your Majesty may rely on the King's Assistance, in case the Emperor or the Duke of Bavaria shall oppose the entire Restitution of the Prince Palatine. But, I conceive, if it be your Majesty's Intention that I should procure here, first, this King's peremptory Answer in the whole Business, and how he will be assistant unto your Majesty, in case of the Emperor's or the Duke of Bavaria's Averseness; and that I should send it to your Majesty, and receive again your Answer, before I deliver the Powers for the Desponsaries; the Match would thereby, if not be hazarded, yet, I conceive, the Infanta's going at Spring would be rendered altogether impossible; for, upon Arrival of the Pope's Approbation, I cannot refuse them but upon some Ground. If I alledge your Majesty's Desire of having the Desponsaries deferr'd untill Christmas, they know as well as myself that his Highness's Proxy is then out of Date, besides the infringing of the Capitulations; and they will judge it as a great Scorn put upon this King, who, (ever since the Prince his granting of his Powers) hath call'd himself the Infanta's Desponsado; and, to that effect, the Prince
bath

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An. 21. James I. *hath writ unto him in some of his Letters. Besides,*
1623. *it will be held a Point of great Dishonour unto the Infanta, if the Powers call'd for by her Friends should be detain'd by the Prince his Part; and whoever else may have deserv'd ill, she certainly hath neither deserv'd Disrespect nor Discomfort. Further, upon my Refusal to deliver the Powers, all Preparations, which now go on chearfully and a-pace, will be stay'd; and there will enter in so much Distrust, and so many Jealousies, that if the main Business run not Hazard by them, at least much Time will be spent to clear them.*

I must therefore, in Discharge of my Duty, tell your Majesty, That all your Majesty's Business here is in a fair Way; the Match and all that is capitulated therein they profess punctually to perform.

In the Business of the Palatinate, they protest, they infinitely desire, and will, to the utmost of their Powers, endeavour to procure your Majesty Satisfaction.

The Prince is like to have a most virtuous and worthy Lady, and who much loveth him; and all Things else, depending upon this Match, are in good and hopeful Ways.

This is now the present Estate of your Majesty's Affairs, as it appeareth to me and to Sir Walter Aston; with whom I have communicated this Dispatch, as I do all Things else concerning your Majesty's Service. And I must clearly let your Majesty understand, That, I conceive, by retaining the Powers when this King shall call for them, and offering to defer the Desponsaries untill Christmas, that your Majesty's Business will run a great Hazard; what by the Distastes and Disgusts that will be raised here, and what by the Art and Industry of those which are Enemies to the Match, whereof every Court of Christendom hath Plenty.

That therefore which I presume, with all Humility, to offer to your Majesty is, That you would be pleas'd to give me Order, with all possible Speed, that when the Business shall come clear'd from Rome; and that the Powers of the Marriage shall be demanded of me in behalf of this King; that I may deliver

deliver them, and no ways seek to interrupt or suspend the Desponsaries, but assist and help to a perfect Conclusion of the Match. An. 21. James I.
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And that for the Business of the Palatinate, I continue my earnest and faithful Endeavours to engage this King; as far as shall be possible, both for the doing all good Offices for the Palatine's entire Restitution, as likewise, for this King's Declaration of Assistance, in case the Emperor or the Duke of Bavaria shall oppose the said Restitution: Herein I will not fail to use all possible Means; and, I conceive, the Dispatch of the Match will be a good Pawn in the Business; and the Help and Assistance which this Court (the Princess being once betrothed) would be able to give to all your Majesty's Business, would be of good Consideration. So, fearing I have already presum'd too far on your Majesty's Patience, I humbly crave Leave of your Majesty's Pardon, and recommend you to the holy Protection of God, resting

Madrid, 24 Oct, 1623. } Your Majesty's
most humble, and faithful
Subject and Servant,
BRISTOL:

The Earl of BRISTOL to his Majesty.

May it please your Majesty,

I Find, upon the News that is now come from the Duke of Pastrana, that the Pope has clearly passed the Dispensation, which is now hourly expected here. There is an Intention to call presently upon me for the Prince's Powers for the Marriage left in my Hands, the which I know not upon what Ground or Reason to detain; the Prince having engaged, in the said Powers, the Faith and Word of a Prince, no way to revoke or retract from them, but that they should remain in full Force untill Christmas; and delivered unto me, with public Declaration of his Pleasure, that upon the Coming of the Dispensation, I should deliver them unto the King, that they might be put in due Execution. And hereof likewise was there, by Secretary Serica,

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An. 21. James I. as a Public Notary, an Instrument drawn, attested by
1623. all the Witnesses present.

If I shall alledge your Majesty's Pleasure, of having the Marriage deferred untill one of the Christmas Holydays; altho' they should condescend thereto, that is impossible, for the Powers will then be expired. If I shall insist upon the Restitution of the Palatinate, this King hath therein declared his Answer; and it will be much wondered at, why that should be now added for a Condition of the Marriage, having ever hitherto been treated as a Business apart, and was in being at the granting of the said Powers, and hath been often under Debate, but never specified, nor the Powers delivered upon Condition of having any such Point first clear'd. And I must confess unto your Majesty, I understand not how, with Honour and that exact Dealing which hath been ever observed in all your Majesty's Actions, the Powers can be detained, unless there should appear some new emergent Cause since the granting of them; whereof, as yet, I hear none specified. I being, therefore, loth to be the Instrument, by whose Hands any Thing should pass that might leave the least Reflection upon your Majesty's or the Prince's Honour, which I shall ever more value than my own Life or Safety; and, judging it likewise to conduce more to your Service, and assuring myself that your Majesty's late Direction, to have the Marriage upon one of the Holydays in Christmas, was for want of due Information, that the Powers would then be expired: I have thought fit, with the Advice of Sir Walter Aston, to raise no Scruple in the Delivery of the said Powers; but do intend, when they shall be required, to pass on to the Nomination of a prefix'd Day for the Desponsaries; tho' I shall endeavour to defer the Time untill I may be advertised of your Majesty's Pleasure, if it may be within the Space of twenty-four Days; and will labour to find some handsome and fair Occasion for the deferring of them, without alledging any Directions of that Kind from your Majesty or the Prince.

The Reasons why I have thought it fit to take this Resolution are:

First,

First, I Find by your Majesty's Letters, and the Prince's, that your Intent is to proceed in the Marriage; and to that Purpose your Majesty and the Prince have set me free to deliver the Powers, according to the first Intentions, by removing that Scruple of the Infanta's entering into a religious Order whereupon they were only suspended.

An. 21. James I.
1623.

Secondly, Your Majesty's Letter intimateth only a Desire, not a Direction, of having the Marriage upon one of the Holydays in Christmas; which, I conceive, is to be understood, if it may well and fittingly be so; not, if there shall be an Impossibility therein, by reason of the expiring of the Powers before, and that the Intention of having it then should be overthrown thereby; when I am confident that what your Majesty writeth, is for want of due Information of the Clause of Expiration of the Powers.

Thirdly, If your Majesty, upon these Reasons, and such as I have formerly alledged unto your Majesty, should, as I no way doubt but your Majesty will, give me Order for the present proceeding to the Marriage; yet, upon my refusing the Powers, and alledging your Majesty's or the Prince's Directions, (altho' afterwards all Things should be clear'd) it would cast some Kind of Aspersiō and Jealousy upon the Sincerity of your Majesty's or the Prince's Proceedings: On the contrary Side, if your Majesty's Intentions be not to proceed in the Match, whereof I see no Ground, the Intimation of that may be as well a Month hence as now: And I judge it a Duty in a Servant, especially in a Business of so high Consequence, and wherein your Majesty hath spent so much Time, to give his Master Leisure to repair unto his second Cogitations before he do any Order that may overthrow it.

This I offer, with all Humility, unto your Majesty's wife and just Consideration; and beseech you to make Interpretation of my Proceedings herein, according to my dutiful and zealous Care of your Honour and Service.

I have of purpose dispatched this Post with this Letter, to the end I may receive your Majesty's Directions,

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An. 21. James I. *restitutions, in this Particular, with all possible Speed; which I hope shall be to proceed directly to the Marriage, according to the Capitulations; and so to order all Things for the Princess's Journey in the Spring. And, for the Palatinate, your Majesty may be confident there shall be all Diligence used in procuring a speedy and good Resolution. So, &c.*

1623.

Madrid, Nov. 1. O. S. 1623.

‘ Now, from this rash fixing of the Day of the Desponsaries in *Spain*, which was controlled again by an Express from hence, an unnecessary Discourtesy was put upon that King, and, in a Manner, wantonly, by the Earl of *Bristol*; from that proceeded a greater Affront put upon the Prince, the taking away the Title of *La Princeffa* from the Infanta; and the debarring of our Ambassadors from any further Access unto her Person, as her Servants and Attendants: And, with these, the greatest Discourtesy of all put upon the King our Master, that when they return'd unto us a poor, lean, and meagre Dispatch concerning the Restitution of the *Palatinate*, yet the Earl of *Bristol* accompanied it with this *Item*, That they were fain to antedate the Paper for their Honour's Sake; or else, if they had taken Notice of the Stay of the Desponsaries, they had sent it ten Times worse. You will not believe his Lordship when you have read it.’

THE KING OF SPAIN'S ANSWER, of the 6th of *December*, 1623, to the AMBASSADOR'S MEMORIAL, touching the Business of the PALATINATE.

THat which his Catholic Majesty hath commanded should be given in answer to the third Memorial, which the Earl of *Bristol* and Sir *Walter Aston*, Ambassadors Extraordinary and Ordinary to his Majesty the King of Great Britain, delivered unto him, touching the Business of the *Palatinate*, is,

That

That his Majesty hath seen the third Memorial An. 21. James I. 1623. which they delivered, touching the Business of the Palatinate, and that the Answers which he hath of late commanded should be given unto the rest, which they have delivered in that Business, presupposed, as it seemed to him, that there can be nothing else in answer to that which they now present; since the Answer therein required is not necessary untill all that is there propounded on the Behalf of the Count Palatine hath first taken Effect; and that he hath endeavoured to give the Emperor Satisfaction, by the Demonstrations and Satisfactions therein mentioned; for that it were Injustice in his Catholic Majesty to shew any Distrust that the Emperor's Uncle should not use his Mercy and Clemency, and give the King's Majesty of Great Britain all possible Satisfaction, in case the Count Palatine perform'd such Acts of Submission and Assurance, as in the said Memorial are propounded, especially being accompanied with the Favour and Intercession of his Majesty, which is and ever shall be interposed for the effecting of it; and that, in doing otherwise, his Majesty should lose the Power which he hath as an Arbitrator and Mediator in this Business, in accommodating it to the Content and Satisfaction of his Majesty the King of Great Britain, as he much desireth and shall endeavour; and to doubt of the effecting of it so, seemeth to his Majesty, were to injure the Emperor, considering their Amity and good Correspondence, and the confident Assurance he hath of his Intercession with him: And is likewise of Opinion, that, to the end the good Offices which his Majesty shall do in this Business may take the good Effect which he wisheth, and that the King of Great Britain may receive all Satisfaction, it is fit that his Catholic Majesty should not make himself a formal Party in it, as it is pressed by the Ambassadors.

Madrid, Dec. 6. 1623.

‘ Here the Prince observed, That whereas the King of Spain saith in this Paper, that he hath no Power over the Emperor, yet in other Treaties he took upon him to have much Power over him; so that
his

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An. 21. James I. his Highness said, He verily believed he had, and had not, Power at his Pleasure.
1623.

‘ Well, for all that Bravado and Menace upon their former Dispatch, they have taken their Pen in Hand again, and have sent to his Majesty a Project of a Letter ; the which, if his Majesty shall make an Invitation to that Effect, shall be sent unto his Majesty from the King of *Spain* ; and the Letter is the *Hercules Pillars*, and the *nihil ultra* in all this Negotiation of the *Palatinate*.

DON JUAN de SERICA’s LETTER, sent with the King of SPAIN’s ANSWER of the 5th of *January*, 1624, N. S. touching the PALATINATE.

FOR the Estimation which his Majesty maketh of your Lordship and Sir Walter Aston, and for the Desire he hath to satisfy the Instances you have made, that he would write unto the King of Great Britain in the Business of the Prince Palatine, he hath condescended thereunto ; but this shall be done when you shall bring any Letters from the King of Great Britain touching the said Business ; and hath, in the mean Time, commanded me to send you this Copy, which is the Answer which his Majesty commandeth to be given to that which was last propounded by you in that Business ; and that when you shall bring the said Letter from the said King, then the Original of the King my Master shall be delivered unto you with a great Desire of giving full Satisfaction. God preserve your Lordship, &c.

JUAN de SERICA.

The KING’s ANSWER abovementioned.

HAVING given Answer to your Majesty’s Ambassadors, and to such Memorials as they have hitherto delivered unto me, touching the accommodating the Business of the Prince Palatine ; and having made known my Desire and Intention herein, they have again of late, with much Earnestness, solicited me in the three Points following :

The

The first, That I should do all good Offices of Mediation with the Emperor, to the end he may yield unto the Prince Palatine the entire Restitution of his Possessions and Dignities. An. 21. James I.
1623.

The second, That a limited Time be appointed for the negotiating, by way of Mediation.

The third, That I should, forthwith, declare myself, that the said Mediation not taking Effect within the Time limited, I would employ my Arms against the Emperor.

Touching the first, your Majesty may rest assured, that I am ready, really and effectually, to assist your Majesty with the best Offices I shall be able, to the end you may receive entire Satisfaction, the Prince Palatine performing the due Submissions, and what else is required, or hath been said in my former Answer, touching the Alliance and Security on his Part; and that I will continue the said good Offices untill the final Conclusion of the Business.

As for the second Point, I am well contented that there be a limited Time appointed, how long the Offices of Mediation are to endure; but since the Business cannot, without a formal Treaty, which cannot be but in these Parts, your Majesty (taking such Term of Time as shall be requisite for so great and difficult a Business) may agree on it there, either with the Infanta my Aunt, or with my Ambassadors, and I do, from Time to Time, approve thereof; and so your Majesty may give Order that, without Loss of any further Time, the Treaty begin for the accommodating the Business; wherein your Majesty may likewise make such Propositions for the satisfying the Duke of Bavaria as shall seem fitting.

Concerning the third Part, wherein I am intreated, in your Majesty's Name, by your Ambassadors, That I would forthwith declare myself, that in case the Mediation take no Effect, I would employ my Arms against the Emperor, altho' I am most certain and confident, that, by your Majesty's and my Intercession, together with the Submission of the Prince Palatine, and the Performance of what else shall be necessary, as is above said, the Emperor, my Uncle, will, without all

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An. 21. James I. 1623. doubt, shew his Clemency, and give your Majesty entire Satisfaction; yet, the making of such a Declaration, besides that it were to bereave me of the Power as Arbitrator and Mediator in the Business by making myself a formal Party, it were likewise to give just Occasion of Offence to the Emperor, my Uncle, and to fail in that due Respect which is fitting I should shew towards him, if I should accompany the Office of a Mediation with Menaces of Arms; but your Majesty may be confident that I will procure, by all Means possible with the Emperor, that this Business may be effected to your Majesty's full Satisfaction; without drawing my Hand from it, untill that which your Majesty desireth be accomplished.

‘ This Letter his Majesty hath already scanned to a Syllable, and supposing some Virtue might be extracted from that Phrase, *Alzar la Mano*, and the King will not take his Hand from off the Business untill our Master shall receive Satisfaction; his Majesty sent to the Spanish Ambassadors, Men of great Understanding and Quality, for a Key or a Comment to open the same: And, behold, this is all they return back to his Majesty, nor take off his Hand, *i. e.* He will employ, without Intermifion, his best Offices to procure a Satisfaction to his Majesty: And hitherto that Hand of Mediation hath prov'd but an unlucky Hand in all this Business.’

‘ Here the Lord-Keeper related somewhat that was delivered by Don *Serica* to the Earl of *Bristol*, at the same Instant with this Project of the Letter; as Mr. *Clark*, who was then present, hath told the Duke of *Buckingham*; viz.

‘ That whereas the King of *Spain* had found his Error in going on so fast with the Treaty of the Match, before he had clear'd the Treaty of the Restitution of the *Palatinate*; he is now resolv'd, to invert his Method, and to perfect the Treaty of the Restitution of the *Palatinate*, before he will proceed any further in that of the Marriage.’

‘ So

‘ So the two Treaties, as they move in *Spain*, An. 21. James I. 1623. are now quit one with the other; as formerly the Treaty of the Marriage did juttle out the Treaty of the *Palatinate*, so now the Treaty of the *Palatinate* hath quite excluded the Treaty of the Marriage.’

‘ And here my Lord Duke acquainting us, as Admiral, with an Advertisement he had received of the Fleet prepared in *Spain*, the Arrest of some of our Ships, and the coming over of *Padre Majistro*, made an End of the *fifth Part* of the NARRATIVE; which contain’d the *subsequent Proceedings of his Majesty*, by a select Committee of Counsellors, in both these Treaties, since the Return of his Highness from *Spain*.’

VI. The STATING of the QUESTION *super totam Materiam*.

This Question the Duke states after this Manner:

‘ My Lords and Gentlemen all, Your speedy and faithful Advice concerning this last Dispatch, which implieth, in the Word *Alliances*, the Education of the Prince *Palatine’s* Son in the Emperor’s Court; and promiseth no Assistance by Arms to recover the *Palatinate*; is, That his Majesty expecteth from both the Houses, at this Time, Whether this Project of a Letter, being the full Effect and Produce of all the Negotiations which I have open’d to you, be sufficient, *super totam Materiam*, for his Majesty to rely upon with any Safety, as well for his Marriage of his only Son as for the Relief of his only Daughter; or, these Treaties set aside, his Majesty were best to trust to his own Strength and to stand upon his own Feet?’

‘ And so his Grace ended with this Conclusion, That if bringing us from Darknes to Light did deserve any Thanks, we owe it, and must ascribe it, to the Prince his Highness.’

After the Lord-Keeper had finished this long Report, the Duke of *Buckingham* stood up and

AN. 21. James I.
1623.

The Duke of
Buckingham's
Narration present-
ed by the Spanish
Ambassador.

acquainted their Lordships, 'That Complaint was made against him for delivering somewhat, in his *Narration*, which did so highly touch the King of *Spain* in his Honour, that if the like had been uttered by any Subject of that King against his Majesty, it could not be otherwise expiated but with the Loss of his Head that spoke it. Wherefore, the Duke desired their Lordships to take into Consideration, whether he could have justified the leaving out any of the Particulars in the *Narration*?'

The Lords, in general, did commend the fair Proceeding of the Duke therein, and agreed, 'That, as his Grace deserved all their Thanks for the same, so he had done ill if he had concealed any Part of it. That their Lordships did conceive that it was an Aspersion laid upon their House by this Complaint; because it concerns their Lordships not to suffer any Thing to be publicly spoken, in their Hearing, in Dishonour of so great a Prince in Amity with his Majesty. And, they conceive that nothing then delivered did concern that King particularly, but were the Acts of his Officers and Ministers only.'

But, for the full clearing of his Grace in this Matter, the Lord-Keeper, by general Consent, put it to the Question, 'That the Duke did deliver nothing, in his said *Narration*, but what was fit for him to do, and what the Matter led him unto; which was unanimously agreed to. And their Lordships also agreed to satisfy his Majesty herein by a Committee of their whole House; and the Prince was desired to intimate this their Request to the King, and to let them know when his Majesty would be pleased to admit them to his Presence. The Lord-Keeper to be their Speaker.' Then the House was moved to take into their Consideration, how the *Spanish* Ambassador came to this Knowledge: But the Duke requested their Lordships to desist from that Enquiry; for that he only desired his own Justification, and no Revenge.

But,

But the Lords were still more active in this An. 21. James I. 1623. Matter, and sent a Message to the Commons to this Effect:

‘Whereas their Lordships are informed that Complaint hath been made to his Majesty, by the *Spanish* Ambassador, That the Duke of *Buckingham*, in his *Narration* to both Houses, had so highly touched the Honour of the King of *Spain*, that it could not be expiated but by his Head: Their Lordships, taking this into their Consideration, do find this Complaint to fasten an Aspersion upon themselves also; and have, by general Vote of their House, acquitted his Grace thereof; and have determined, by a Committee of their whole House, to satisfy his Majesty therein: And, to the end that their Lordships may ever, according to their Desire, hold good Correspondence with their House, they have thought fit to signify it unto them.’ But, the Messengers staying long, the Lords agreed to adjourn to the Afternoon.

At which Time they received the following Both Houses justify the Duke. Answer to their Message from the Commons:

‘That their House had considered of the Message and do find the Complaint to asperse them also. They have acquitted the Duke of *Buckingham* of any Thing which he said, touching the Honour of the King of *Spain*. They attribute much Honour to the Duke for his *Narration*, and give his Grace Thanks for the same; and they render like Thanks to their Lordships for this their good Correspondency.’

To the end the Lords might truly state the Further Proceedings in relation to the Negotiations in Spain. Question upon the great Affair they were to advise the King about, they required to have the foregoing Letters from *Spain* read unto them again. After which the Attorney General read the following Letters from the Earl of *Bristol*.

May it please your Most Excellent Majesty,

I Received your Majesty's Letters of the 9th of September and the 23d of the same Month, and by them understand that your Majesty hath received

Ap. 21. James I.
1623.

much Satisfaction from what I had formerly written to your Majesty, both concerning the Restitution of the Prince Palatine; as likewise, of this King's Resolution to proceed to the Conclusion of the Match; but that your Majesty findeth the Effects very unsuitable both by the Proceedings at Brussels and in the Palatinate; as also, by what you understand from Rome, by Mr. Gage, of the Pope's Demands. I hope, by the Arrival of Mr. Cottington, your Majesty will have received Satisfaction, in some Measure at the least, that there hath been no Time or Diligence omitted, either for the redressing of any Thing that hath been amiss, or for the advancing of your Majesty's Affairs.

The very Day I received your Majesty's Letters, I sent a Gentleman Post to the King, (who was gone to the Escorial) to crave Leave to attend him, which he presently granted me; and I repaired thither to him upon the 3d of October, the Conde de Gondamore being likewise commanded to wait upon the King. I was there well received; and presently upon my Arrival, the Conde d'Olivares came to me to the Lodgings which were appointed for me to rest in; to him I deliver'd fully, in the Presence of Sir Walter Aston and the Conde de Gondamore, what I had to negotiate with the King, both in the Business of the Match and of the Palatinate.

*In the Match, I represented how much it import-ed your Majesty that a speedy Resolution might be taken therein; both in regard of the Prince, being your Majesty's only Son, now arriv'd to the Age of twenty two Years, and for the settling your Affairs in England: I repeated to him all the Passages in this Treaty; how many Years had been already spent in it, and that after so long an Expectation, the Diligence used in Rome, for obtaining the Dispensation, had wrought but small Effect, since the Pope had lately made such Demands as were altogether impossible for your Majesty to condescend unto; and therefore, your Majesty seeing the Business still delay'd, held it fit that some such Course might be taken, that your Majesty might speedily know what
you*

you have to trust unto; and therefore had command- ed me to signify unto this King, your utmost Resolution, how far you could condescend, in Point of Religion, towards what the Pope demanded. And if herewith this King could be satisfied, your Majesty desired that we might proceed to a final and speedy Conclusion; otherwise, that the King likewise would clearly declare himself, that your Majesty might lose no more Time in the disposing of the Prince y^{ur} Son. Hereunto the Conde d'Olivares answered with some Length, the Substance whereof I shall only presume to set down to your Majesty. An. 21. James I. 1623.

He profess'd a sincere Intention and Resolution in this King to make the Match, and that there should not be one Day lost; for that the speedy Dispatch thereof imported them as much as your Majesty; and to the end no Time should be lost, this King had, the Day after the Death of Don Baltazar de Zuniga, appointed Don Ferdinando de Gyron in his Place, in his Commission. That for the going of Mr. Gage from Rome, and the Pope's Demands, they were absolutely ignorant of them; that the King had done all that I myself desired for the Redress of this Error; that I might assure your Majesty that you should find here all Sincerity and clear Proceeding, and without an Hours Delay more than, of Necessity, the Nature of the Business required.

As for the Business of the Palatinate, I represented at large, the Merit of your Majesty's Proceedings and the many Promises made from hence; yet, notwithstanding, whilst your Majesty was treating at Brussels, Heidlebergh, one of the three Places, which were only left, and where your Majesty had Garrisons, was besieg'd by the Archduke Leopold and Monsieur Tilly: That this King hath withdrawn his Forces, and so exposed the Palatinate absolutely to the Emperor and the Duke of Bavaria. The Conde d'Olivares answered me, by acknowledging how much your Majesty's Proceedings had deserv'd at the Emperor's and this King's Hands; that whatsoever your Majesty could expect, or had been at any Time promised, should by this King be really perform'd.

That

Aug. 27. James I.
1623.

That the Prince Palatine's own Course hitherto, had been the only Hindrance of the effecting of it.

That he referred it to your Majesty's own just Judgment, whether the calling of this King's Forces out of the Palatinate were with any ill Intention, or merely for the Defence of Flanders; which, otherwise, had been put in great Hazard by Count Mansfield, as your Majesty saw by what had really pass'd: That the Siege of Heidelberg was no way by the Consent or Knowledge of the King, or any of his Ministers, but was generally disapprov'd by them all.

I told him, I conceived that was nothing; for that your Majesty had engaged yourself to this King, That in case your Son-in-Law would not conform himself, you would not only forsake him, but declare yourself against him, and give the Emperor Assistance for the reducing of him to Reason; and that your Majesty could not but expect a like reciprocal Proceeding from this King his Master. He answer'd, Your Majesty should see this King's Sincerity by the Effects, and that if Heidelberg should be taken, and the Emperor refuse to restore it, or condescend to such an Accommodation as should be held reasonable, this King would infallibly assist your Majesty with his Forces. And this he spake with great Assurance, and wish'd me to desire your Majesty to be confident, you would find nothing but real and sincere Proceedings from hence. I was then presently called for to the King, to whom I spoke, first, in the Business of the Match, and delivered him the Contents thereof in Writing; which I have sent to Mr. Secretary. I received from him the same Answer, in effect, as from the Conde d'Olivares, That he desired the Match no less than your Majesty; that, on his Part, there should be no Time lost from the Beginning of it to a speedy Conclusion. In the Business of the Palatinate, I spoke unto the King with some Length, repeating many Particulars of your Majesty's Proceedings, and how much your Honour was like to suffer: That now, whilst you were treating, Heidelberg,
de-

defended by your Garrison, was like to be taken. An. 21. James I.
1623.
The King answer'd me, He would effectually labour that your Majesty should have entire Satisfaction; and rather than your Majesty should fail thereof, he would employ his Arms to effect it for you. My Lord Ambassador, Sir Walter Aston, accompanied me at my Audience, and was a Witness of all that pass'd, as well with the King, as with the Conde d'Olivares. Within few Days after the News of the taking of Heidelberg came hither; whereupon I dispatch'd again to the King, in such sort as I have at large advertis'd to Mr. Secretary Calvert. The Effect of my Negotiation was, That they, on the 13th of October, dispatch'd Letters away to the Infanta, to stop the Emperor's and the Duke of Bavaria's Proceedings; but pressing them further, in regard their former Letters have wrought so little Effect, they have given me a second Dispatch, which I have sent to the Infanta, and whereof Mr. Secretary will give your Majesty an Account; which, I conceive, will procure your Majesty better Satisfaction than hitherto you have received from the Emperor and his Party.

For the Business of the Match, I have written to Mr. Secretary what is to be said at present, and will only add, That as I should not willingly give your Majesty Hopes upon uncertain Grounds, so I would not conceal what they profess; which is, That they will give your Majesty real and speedy Satisfaction therein; and if they intend not, they are falser than all the Devils in Hell, for deeper Oaths and Protections of Sincerity cannot be made.

It will only remain that I humbly cast myself at your Majesty's Feet, with that Addition of Title wherewith it hath pleased you to honour me and my Posterity. My Gratitude and Thankfulness wanteth Expression, and shall only say to your Majesty, That as all I have, either of Fortune or Honour, I hold it merely of your Bounty and Goodness, so shall I ever cheerfully lay them down, with my Life into the Bargain, for the Service of your Majesty and yours. So
with

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An. 21. James I. *with my humblest Prayers for the Health and Prosperity of your Majesty, I humbly recommend your Majesty to God's holy Protection, and rest,*
1623,

Madrid, 21 Oct. } Your Majesty's
1623. } most humble, and faithful
Subject and Servant,
BRISTOL.

These Letters being read, the Lords adjourned, *ad Libitum*, to debate what they should advise the King to do in this Business. And, because his Majesty had required to have the Advice of both Houses, they thought it not fit to proceed further in it at that Time; but to have a Conference with the Commons, and to consider, first, What to propose to them at their next Meeting.

February 28. The Affair was again resumed relating to the *Match* with *Spain* and the Recovery of the *Palatinate*; and though the Lords generally agreed, 'That they cannot advise about one without the other; and, also, that they had so far declared themselves here, that it is not safe for the King to continue the Treaty on either, nor expect the Restitution of the *Palatinate*, by any other Means than the Sword; yet, their Lordships do still think it not fit to deliver their single Advice, but first to consult the Commons; and when the two Houses have agreed thereon, then to deliver the same jointly to his Majesty.'

After which a long Debate arose, what to propose to the Commons; and, at last it was resolved, That there was no Necessity to treat of the *Match* and the *Palatinate* together. Also, their Lordships were of Opinion, That his Majesty rely not upon any further Treaties; except they shall hear from the Commons better Reasons for it at the Conference. And a Committee was appointed, of which the Duke was the Chief, to search for Precedents of former Treaties and Supplies to the King in Matters of this Kind. Also, the King's Servants were to bring them all such Papers and Dispatches, out of *Spain*, as they should require.

March.

March 1. The Lords were put in Mind of their last Message to the Commons, touching the Duke of *Buckingham*; and they thought good to explain themselves, by another Message, on their Resolution to give the King Satisfaction that the Duke is cleared and acquitted, by them, of that which the *Spanish* Embassador complained of. Therefore, a Message was sent to the Lower House, to express their Lordships Doubt that their Meaning was not fully understood; for that they do think it most proper, as the *Narration* was made to both Houses, so both to join, if they so please, in their Justification of it to his Majesty.

An. 21. James I.
1623.

After some Time, the Commons sent an Answer to the Message, That they were desirous to confer with their Lordships about it, by a Committee of both Houses; the Time and Place was left to their Lordships Option. The Lords appointed the *Painted-Chamber*, and the Time to be presently. Accordingly, the same Day, the Archbishop of *Canterbury* made the following Report of this Conference to the whole House.

‘ That they had conferred with the Commons, about this Complaint of the *Spanish* Ambassador against the Duke for his *Narration*; and that the Commons were so much of one Mind with them, as if both Houses were Twins. That they highly approved of what the Duke had done; and that he delivered nothing in his said *Narration*, but what he was led unto by the Matter itself; wherein his Grace was so far from transgressing, that he deserved Thanks and Honour: That they were desirous to join with their Lordships, by a Committee of their whole House, to signify as much unto his Majesty. And added, How sensible they were that any unworthy Person should relate their Secrets abroad, and desired that, whoever it was, he might be discovered, if possible (m).’

Both Houses
unanimously pre-
sent to the King
their Approba-
tion of the
Duke's Narra-
tive.

In the further Proceedings of this Day, the Duke of *Buckingham* put the Lords in mind of the *Grand Affair*; and that a speedy Resolution was
very

(m) See more of this in the 24th of this Month.

An. 21. James I. 1623. very necessary in it, because Time was precious, which the Enemy would not pretermitt; and, if they should lose the Benefit of the Spring, it would be irrecoverable: Therefore his Grace moved the House, That a Committee should be appointed to inspect into the Stores of Munition, and to make such Provision for a Supply thereof as they should think fit. Accordingly, a Committee was then appointed, to take a View of the Magazines, Stores, Arms, and Munition; to consider about the Transportation of Ordnance; of the Forts of the Land, and the Weakness thereof; of *Ireland*, and of all other Things incident to these; to present their Opinions to the House of what Defects they find, and the Means to redress the same.

A Committee appointed to view the Stores, Arms, Munition, &c. of the Kingdom.

March 2. After an Adjournment of the House, *ad Libitum*, the Attorney General read another Letter to the King from the Lord Digby, afterwards Earl of *Bristol*, in these Words:

LORD DIGBY'S LETTER to the KING.

Most Gracious Sovereign,

*I*T may please your Majesty to remember, That, at my coming out of Spain, I signified unto your Majesty, how far the Duke of Lerma had, upon several Occasions, intimated unto me an extraordinary Desire of this King and State for not only an intimate Peace and Amity with your Majesty but to lay hold of all Means that might be offered, for the nearer Uniting of your Majesties and your Crowns: And, from this Generality, he had descended often to have Discourse with me of a Match with the Prince his Highness with the second Daughter of Spain; assuring me, that, in this King and his Ministers, there was a very forward Disposition thereunto. But from me he received no other Answer, but to this Effect: That in the Treaty of the former Match for the late Prince, I had received so strange and unexpected Answer from them, and that their Demands had seem'd so improper and unworthy, that, I conceived, your Majesty had little Reason to be induced again to give Ear to any such Overture, or that I should enter

ter again into any such Treaty, much less to be the Motioner thereof; altho' I would confess, that if I were fully persuaded of the Sincerity of their Intentions, and of a Possibility of having the said Match effected, I know not any Thing wherein I would more willingly employ my Endeavours; but, as the Case now stood, I was certain, that if I should but make any such Motion in England, I should but draw an Imputation of much Weakness upon myself, and no whit advance the Cause; for that your Majesty and your Ministers would make no other Construction of that Motion, but that it was only to abuse your Majesty, and to divert the Match of France, which was then treated of: For that your Majesty, who, but the Year before, had received so unpleasing and unequal an Answer, should now be persuaded that there was here so great a Change as that a Match was really desired, there would now need more than ordinary Assurance.— But the Duke of Lerma, continuing several Times in the same Profession, and telling me besides, That the greatest Case might be altered by Circumstances, and that the Age of this Prince was much more proper than that of his Brother, I freely let the Duke know, that in case I might be fully assured that such a Match was really desired here, and be able to propound unto my Master Conditions of so much Advantage, as might certainly put him and his Ministers out of doubt that this Overture was not again revived from hence, either for Diversion or winning of Time, I would then willingly intimate unto your Majesty the Inclination and Desire I found here, of having a Proposition for this Match once again set on foot. The Duke told me, That he would have further Conference with me; and that he no ways doubted but then to give such Satisfaction as might well assure both your Majesty and your Ministers, that they sincerely desired the Match in general, and would omit nothing on their Side for accommodating every Particular that might give Furtherance unto it. But, the very Night before the Duke had appointed a Meeting with me, there came a Post dispatch'd out of England from the Spanish
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Ambassador, upon the Arrival of Sir Thomas Edmonds in England, who brought Word that a Match with France was absolutely concluded, and that within a few Days it was to be published; whereupon the Duke, at our Meeting the next Morning, told me that it would be needless now to descend to any Particulars in the Business whereof we were to treat; since they had now received Advertisement that the Match with France was fully concluded. And thus far that present Matter rested some five or six Weeks after, about which Time I was to go into England; and so taking Leave of the Duke, he ask'd me, Whether I had not receiv'd Advertisement that the Match with France was not published? I told him no, but that I had certainly heard, that it was not yet fully concluded: Whereupon he entreated me, that, in case I found not the French Match in such Forwardness as it could not be stay'd, I would let him know of it; and that if I should see any kind of Possibility, that the Business we had spoke of might be set on foot, I would advertise him; and that thereupon he would proceed to those Particulars, which he formerly intended for my Satisfaction.

Herewith I acquainted your Majesty, and finding that the Spanish Ambassador in England had Notice from the Duke of our former Proceedings, and Order to further them by all possible Means he could, especially if he should understand that your Majesty were not fully resolv'd of the French Match; I thought it fit, by his Means, to let the Duke understand in what Estate I found this Business in England; and thereupon, with your Majesty's Permission, wrote a Letter to him to this Effect:

'That altho' it were true that the Match with France had been treated of with much Earnestness on both Sides, and with great Likelihood of being concluded; yet there daily arose so many Difficulties and new Causes of Delay, that I judg'd it far from any perfect Conclusion; neither did I see Cause absolutely to despair of the Business which ourselves had intended, unless the Difficulties of the Conditions should make it desperate; but if these Things should

be expected by Spain, which in the Treaty for the late Prince were demanded, it were better by much not to renew the Business; than by unsitting and unbecoming Propositions on either Side to give Distaste, or lessen the Friendship which now was betwixt your Majesties. And therefore I expected that, in Spain, they would be content with such Conditions as your Majesty might fittingly and conveniently yield unto, and all other Catholic Princes were willing to content themselves with; I neither saw Cause to hope for good Success, nor Reason to set the Treaty on foot; but in case that I might know that the Conditions, in Point of Religion, might be such as I should see a Possibility of your Majesty's condescending to them, I should be far from despairing of some good Effect; for that I know divers, not of the meanest nor least Power with your Majesty, were thereunto well inclin'd and would give their helping Hands, &c.

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Hereupon the Spanish Ambassador dispatch'd his Secretary into Spain, and received Answer from the Duke, That he should give me all Assurance that there was here a great Desire and Inclination to the making of the Match; and that, at my Return into Spain, they no ways doubted but I should receive such Satisfaction as should make it appear, that, on their Part, there should be nothing wanting for the effecting of it.

It remaineth that I now signify to your Majesty what hath passed herein, since my last coming to this Court.

I arriv'd here in Madrid only a Day or two before their Christmas, and having, some six Days after, my Audience appointed by the King; whilst I was in a withdrawing Chamber expecting the King's coming forth, the Duke of Lerma came hither to bear me Company; and after many respectful Demands of your Majesty's, the Queen's, and Prince's Health, and some few Complements unto myself concerning my Welcome again to the Court, he fell to speak of the false Alarms we had in England concerning a Spanish Armada; seeming much displeas'd that any Credit should be given to any Thing so
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much to his Master's Dishonour and want of Fidelity, as he termed it; but your Majesty, he said, did never believe it: And, it seems, he had heard of some pleasant Answer your Majesty should make to some one of your Ministers, that in great Hastē came to your Majesty when you were a Hunting, and told you that the Spanish Fleet was in the Sleeve. From this he entred into great Protestation of the Sincerity of this King's Affections and Intentions towards your Majesty; telling me, That I should now see how much they desired to work a greater Nearness and Uniting between your Majesties; and that particularly as to the principal Business (of which in former Time he had spoken, meaning the Marriage,) he would shortly speak with me, but it must be at more Leisure. I answer'd him, That I should not fail shortly to wait on him, and that he should find me answerable to the Professions I had made; which was, that, being induced thereunto by such sufficient and good Grounds as might satisfy my Master, both for the Conveniency and Fittingness of having such a Treaty to be set on foot, and likewise might take away all Objections of their Intent of entertaining and diverting your Majesty hereby, I would be as ready to do all good Offices, and give Furtherance to the Business, as any Minister the King of Spain had. And this was all that, at our first Meeting, passed in this Business.

About some eight Days after, I having not all this Time stirred out of my House, under Colour of being indispos'd, though the Truth was, indeed, to inform myself of some Particulars which concern'd your Majesty's Service before I would speak with the Duke; he being, as I since understood, somewhat troubled, that, in all this Time, I made no Means to come unto him, one Morning, by Nine of the Clock, very privately, came to my House, without advertising of his coming (as the Custom is here) untill his Coach staid at my Gate; and then he sent a Gentleman to me, telling me, That the Duke was there to speak with me. When I had conducted the Duke into a Room where we were private, he fell into the aforesaid Matter, and in the Manner as I shall here
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set down unto your Majesty, without making any other Pretence as the Intent of his Coming, or without using, in the Space of an Hour, any Speech of any other Business.

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After some few Questions of your Majesty and the Queen, he began to ask many Things of the Prince, as of his Age, his Stature, his Health, his Inclination, to what Sports he was chiefly given, and then suddenly, as it were with a passionate Expression of Affection, he desired God to bless him, and to make him the Means by which your Majesty might be conjoyned in a nearer Alliance, and your Kingdoms in perpetual Amity; saying to me, That he was out of Doubt of my good Inclinations to this Business, both by what had formerly pass'd between us on this Subject, as likewise by my Proceedings in England, whereof he had been fully informed by the Spanish Ambassador; and therefore he would, in a few Words, deal with me with much Freeness and Clearness, assuring himself he should receive the like Measure from me; and thereupon entered into a solemn Protestation, how much the King desired the Match; and, for himself, he solemnly swore there was no one Thing in the World he more desired to see before he died, than the effecting thereof: But, my Lord Ambassador, said he, you must deal as justly with me, to let me understand whether you conceive the like Desire to be in the King of England and his Ministers, and then I shall proceed to speak further unto you. I answered the Duke; That I ever esteem'd more the Reputation of a Man of Truth and Integrity than of Skill and Subtilty; which, I did hope, he would well perceive by what I was to say; for that I wd. much more desirous fairly to go off from this Business, than easily to enter into it; and therefore if he would have me speak my Conscience, I did not conceive that, either in your Majesty, or any of your Ministers, there was any Kind of Inclination thereunto; for that they having formerly given so resolute and distasteful an Answer, your Majesty had just Cause never again to cast so much as your Thoughts this Way, and though it might be alledged, That the Fitness of the Prince's Years,

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An. 21. James I. 1623. *and other civil Regards, might cause new Resolutions, yet the Differences of Religion were still the same, and the same were the Tenets and Opinions of Divines in Matter of Conscience; and therefore it could not but be a Thing of great Difficulty to persuade your Majesty and your Ministers, that a Match should be hearken'd unto, much less desired from hence, but upon the same Terms; the very Thought and Remembrance whereof is yet unpleasing in England: So that, to deal plainly with him, I neither found, either in your Majesty, or in the Council, any Kind of Thought or Imagination of any Possibility of having any such Motion again; but this I found not to grow from any Dislike or want of Affection in your Majesty towards Spain, or that many of the greatest or principallest Persons in England judged not the Nearness and Alliance with Spain equally valuable with any other in Christendom; but that, out of Distastefulness of the former Answers given from hence, all Expectations of any Business of this Nature were absolutely extinguished; and therefore again to revive it, there would need more than ordinary Endeavours, or ordinary Assistance: But as I knew this Match would neither want Well-Willers nor Assisters, and, for my own Part, I would freely make Profession, that no Man more desired it than myself, or would more willingly employ his Endeavours for the Furtherance thereof; when, by descending to Particulars, I should see that both in regard to the Conditions and Assurance of sincere Proceeding, the Motion was worthy and proper for a good Servant to offer it unto his Master; neither then should I be wholly out of Hope of good Success, tho' I could not but esteem it a Business of infinite Difficulties.*

The Duke replied, That any Course I thought fit herein should be condescended unto; for that all Time was lost that was spent in Generalities; and therefore, if I so liked, he would move this King, that some one or two besides himself might be appointed to have Conference with me; for that if he should retain it in his own Hand only, it would, by reason of his many Occupations, have a slower Progress than
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he wish'd; but if we would, by way of Conference, digest the Difficulties into Heads and Particulars, he would, as often as he could, be present at our Meetings; and, for his own Part, he said, he apprehended few Difficulties would arise but from Difference of Religion.

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I told the Duke, That I very well approved of the descending into Particulars; neither should I refuse Conference with any herein whom the King should appoint to speak with me: But if his Meaning were, that these Persons should be nominated or join'd by way of Commission, I thought fit to let him understand, that I neither had any Time, nor did I at the present speak of this Business either by Order or Direction; no, not so much as even by your Majesty's Privy: But as a Minister, that desired to lay hold on all Occasions for the encreasing of further Love and Nearness betwixt his Master and the Prince by whom he is employed, I should be glad, to the utmost of my Power, to advance and further this Cause; as that which I apprehended to be the greatest, which the World now affordeth, for the firm uniting of your Majesties and your Estates.

The Duke told me, That this King would make no Scruple to declare his good Inclination and Desire to have the Match proceeded in; and that, for accommodating the Difficulties, he had already used divers Offices and Diligences with the Pope, as likewise with the greatest Divines of this Kingdom, whereof he named some unto me, whom, he said, he found very well inclined to the Match. He told me also he would be glad they might speak with me, so then I might truly understand, by them, all Kind of Scruple that could be alledged. I answered, That I desired nothing more, and that I could not but approve of these Courses he prescribed, as the most probable to produce a good Effect; and that I hoped God would give a happy Success to the Business: But I should be bold in one Thing to deliver my Opinion, which was, no ways to interest our Masters herein, unless by the understanding and clearing the Difficulties on both Sides, there should be a great Appearance and Probability

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bility, that the Business would take Effect; for if their Names should be therein used, and afterwards the Treaty should not be successful, it would but exasperate and breed a greater Dislike betwixt your Majesties. The Duke told me, He misliked not my Opinion; tho' he said, However the Business succeeded, yet you should have Reason to accept kindly this King's good Intentions; for that, if it miscarried, it should appear not to be thro' their Default; but that they had stretched as far as Honour or Conscience would give them leave.

And thus much he said I might write to your Majesty, If I thought fit, or to my confident Friends in England, his Word and Assurance; and so telling me, that he would presently appoint those that should confer with me in this Business, we then parted.

Within two Days after I went to the Duke, and, after I had spoken to him of the Business of Cleves, according to my Instructions, whereof I gave an Account to Mr. Secretary, in a Dispatch directed to him, we fell again into Speech of the Match.

The Duke told me he had well considered of that which I had said unto him, and much approv'd it, Not to interest our Masters in the Business till we should see some Likelyhood of good Success.

And for that he supposed the Difference of Religion, like to prove the only Difficulty of Consideration, he thought it fit that it should first be cleared; and therefore he would break the Matter with the Cardinal of Toledo, and the King's Confessor, and with them should be join'd another learned Man, one Father Fredrick; who, since I understand, is a Jesuit, but truly hath the Report of a moderate Man. These, the Duke said, should have Orders to confer with me, and Charge to go as far as might be, reserving safe the Grounds and Sincerity of their Religion. I answered the Duke, That I was well satisfied herewith; and that if their Demands were such as would content any other Catholic Prince, I should hope of good Success; if otherwise, I should yet judge it an Happiness to be put out of Doubt and Suspence; and so we passed from this Subject.

I presume to set down to your Majesty all the Passages of this Business, with so much Length and Fullness, (for that I no ways dare adventure to offer to your Majesty any Opinion or Belief of my own, either for the Fitness of the Match, or for the Sincerity of their Intention, or the Possibility of accommodating Differences in Religion) that your Majesty, seeing undisguisedly all that hath hitherto passed, with every Circumstance, may be pleased, out of the Consideration and Knowledge of these Particulars, to frame unto yourself such a Belief of their direct Meaning, and such a Resolution for the further proceeding herein, as shall be most suitable to your Majesty's Wisdom. Only I shall think it fit to set down further to your Majesty, the particular Ends which, it may be conceived, they aim at, by setting this Business on Foot at this present, in case they should not intend really to perform it. The first may be to divert and stagger your Majesty's Treaty with France. The second, for the entertaining your Majesty with fair Hopes and Promises, thereby to keep you from declaring yourself opposite to them in the present Business of Juliers and Cleves; which is still remaining unsettled.

But this being so, your Majesty may be pleased to understand, that tho' they may serve themselves with this Occasion, yet that there could not any such Thing be primarily in their Intention; for the expressing of their Desire to the Match was the last Year, long before these Differences happened.

Further, the Duke of Lerma would be the most false and dishonourable Man living, without Christianity or Soul, if he would voluntarily so deeply damn himself with Oaths and Protestations of a Thing he sincerely meant not; and truly he would deal contrary to the Wisdom of his other Proceedings, wherein he layeth all Actions of Dislike or Discourtesy upon other inferior Ministers, labouring still to clear himself of the Imputation of them, if in this he should make himself the Author and Instrument of so indirect and unjust Proceedings between Princes: But the Course of most Security and Caution is, that your Majesty suffer none of your other Resolutions to

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be interrupted by this Overture; only, if your Majesty be pleased for a while to entertain and suspend the Conclusion of the Match with France, I conceive it can be but little to your Majesty's Disadvantage.

It, lastly, now remaineth, that I become an humble Suitor to your Majesty for your clear and full Directions in this Business; desiring that, if your Majesty will have it further entertained, I may have ample Instructions from your Majesty; both that I may intimate what may be expected in point of Dowry, and in all other Things to be required by your Majesty, as likewise how far I may proceed in satisfying them in point of Religion; for it is not to be supposed that they will proceed with that Freeness and Directness which is to be wished for, unless, in a fitting Measure, they shall see me likewise able and willing to declare myself in such Points wherein they may expect Satisfaction. I intend not hereby to move for a formal Commission to treat, but only a private Instruction for my Direction and Warrant how to behave myself as may be most advantageous to the Cause and your Majesty's Ends; So, humbly beseeching your Majesty to command this Bearer to be dispatched back with all convenient Speed, I recommend your Majesty to the holy Protection of God.

Madrid, Jan. 3.
1624.

Your Majesty's
Faithful Subject
and Servant,
JO. DIGBY.

The Lords resolve to advise the King to break off the Treaties with Spain;

After hearing the Contents of this Letter, the Lords began to deliberate on what should be delivered to the Commons, at a Conference that Afternoon, concerning the *Grand Affair*. And it was agreed, that the Lord-Keeper should begin with an Induction, out of the Duke's *Narration*; and then acquaint the Commons, That the Opinion of their House was to advise the King, *super totam Materiam*, That his Majesty cannot, with the Safety of his own Honour, or Conveniency of Religion and the State, proceed any further for the Treaty of the Prince's

Prince's Match, nor rely any longer on that for the Recovery of the Palatinate. An. 21. James I. 1623.

It was also agreed, that the Lord-Keeper should deliver unto the Commons, by way of Supplement, first, concerning the *Treaty of Marriage*, That it appeared, by the Earl of *Bristol's* Dispatch, of *November 3. 1624.* That the first Motion of it came from *Spain*, viz. from the Duke of *Lerma* into *England.* 2. Concerning the *Treaty of Restitution*, That the King of *Spain* had promised Assistance, by Arms, in case a Mediation should not prevail; tho' now he denied it again. This appeared out of another Dispatch from the Earl of *Bristol.* 3. Concerning an heroic Saying of the Prince, 'That when it was noised he should be detained a Prisoner in *Spain*, he sent Word by *Grymes* to the King, *That in case News should come hisber of his Detention, his Majesty would think no more on him as a Son; but respect all his royal Thoughts on his Sister, and the Wellfare of his own Estates and Kingdoms.*'

The rest of this Day and the two following were chiefly taken up in the Conference between the two Houses, about this *Grand Affair*, as the *Journals* call it: And, A Conference thereupon.

March 5. The Archbishop of *Canterbury* made a Report, briefly, of what had passed at it, and delivered in the Reasons, in Writing, from the Commons, to fortify their Resolutions to advise his Majesty to proceed no farther in the *Treaties* with *Spain*: Which were these:

I. 'It is observed, That the State of *Spain*, not content with their ordinary Provisions for the Exercise of the *Roman* Religion by the Infanta and her Family, which other Princes, in like Case, would have demanded, and which his Majesty, with great Reason, might, at the Beginning of this Treaty, have conceived they would have been contented with, have, with great Vehemency, upon the Advantage of having the Prince's Person in their Possession, pressed a general Connivance for his Majesty's Subjects of the *Roman* Religion, to the great Dishonour

The Commons Reasons for agreeing with the Lords therein.

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 honour of Almighty God, in the Sincerity of his Service in this Realm; and to the apparent Diminution of his Majesty's Sovereignty, by establishing a necessary Dependence for Protection upon a foreign King and State; and to the great Derogation of the Laws of this Kingdom; and, lastly, to the Grief and Discouragement of all his Majesty's well-affected Subjects, from whose general Discontent they expected, as well appeareth, a Consequence of no small Mischief.'

' II. It is observed, that during the Continuance of this Treaty, and by reason of the same, the Popish Faction have exceedingly increased in this Realm, both in Multitude and Boldness; and whereas, heretofore, they have been divided amongst themselves into the Party of Jesuits depending upon *Spain*, and the secular Priests; otherwise they are generally, now, strongly united together, depending no less upon *Spain* for temporal Respects, than from *Rome* for spiritual; which, considering the House of *Spain* hath been always a capital Enemy to our Religion, to encrease their own Greatness, by extirpating the Protestant Party in all Places where they can prevail, cannot but be of most dangerous Consequence to the Safety of the King and this Realm, unless Remedy be provided with Speed for abating that Party here at home; which cannot be during the Time these Treaties are on Foot.'

' III. It is observed, that, by Advantage of these Treaties, and thereby keeping his Majesty in hope of general Peace, they have contrarily, under Pretence of assisting the Emperor, oppressed by the Protestant Party in most Part of *Christendom*, being the antient Allies and Confederates of this Crown, to the endangering not only of the whole State of the Reformed Religion, but also against the common Safety of all the Professors of the same.'

' IV. During the Time of these Treaties of Love with his Majesty, they have, with all Kind of Hostility, set upon his Majesty's Son-in-Law, the Husband of his only and most Royal Daughter; invaded his Towns and Territories in all Places; and,
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in fine, disinherited him, with all that Royal Offspring, of all his antient patrimonial Honours and Possessions; to the great Dishonour of his Majesty, and the extream Grief of all his well-affected Subjects; and now also, at the last, when they should have come to make good the Hope of Restitution, they have laid new Grounds for endless Delays, and turned pretended Difficulties into apparent Impossibilities; not forbearing also to annex, as a Condition to the weak Hope of their uncertain and imperfect Restitution, that the eldest Son of the Count *Palatine* should be brought up in the Emperor's Court: So restless are their Desires to work the Overthrow of our Religion by all possible Devices.

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‘*Lastly*, It is too apparent how many Years, from Time to Time, they have deluded and abused his Majesty with their Treaties; how small Respect they have shewed to the Prince's Greatness and Worth; what Indignity they have offered, again and again, to his Highness, by importuning him, upon all Advantages, to forsake his Religion; contrary to the Custom of all Princes, and contrary to the antient Laws of Honour and Hospitality; who ought to have been used there with princely Freedom, and pressed to nothing to which he was ill-disposed; considering withall, with what Confidence, being so great a Prince, he had put himself within their Power; altho' it pleased God so to guide and fortify his Princely Heart, that he constantly withstood all their Attempts and Machinations, to his own immortal Honour, and the unspeakable Comfort of all good People of his Father's Kingdom; whereunto may be added the infinite Advantageousness and endless Delays in their Treaties, inviting still to new Treaties, and turning all to the Advantage of their own particular Ends; being true to nothing but their own grounded Maxims, with which neither the *Match* nor *Restitution* of the *Palatinate* can possibly consist, but upon such Terms as threaten to our Estate an incurable Mischief; and, for a further Justification

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of the Charge of Insincerity in all their Proceedings, these Particulars ensuing, among many others, may be produced.

‘*First*, In that Treaty concerning Prince *Henry*; after many specious Motions on their Part, it was followed with disavowing their own Ambassadors, and a scornful Proposition to the King for that Prince’s altering his Religion.’

‘*Secondly*, In the Treaty of *Brussels*, wherein Sir *Richard Weston* was employed, he found nothing but Delays and Deceits; and, after divers peremptory Commands from *Spain*, for his Majesty’s Satisfaction, they wrought no other Effect than the Siege and taking of *Heidelberg*; so that he was forced to return with a Protestation.’

‘*Thirdly*, When Baron *Bascot* came thither to continue their former Treaty, the first News we heard was, the Translation of the Electorate to the Duke of *Bavaria*; of which both the Baron and Don *Carlos* protested Ignorance, and that the King of *Spain* would let the World see how much he resented such an Affront; yet it plainly appeareth, by the Letter of the Count *d’Olivares*, given to the Prince, that the State of *Spain* both had Intelligence of it before, and expected it to be effected at that Diet.’

‘*Fourthly*, When his Highness was in *Spain* the Count *d’Olivares* shewed him two Letters, by which it plainly appeared, that, till his Coming thither, there was nothing really intended; which they were not ashamed directly to avow to the Prince himself, and that after the Requital of so hazardous a Journey, and such an extraordinary Trust. When all Articles were again concluded, they found a new Shift, by a Junctio of Divines, to let the Prince come home without the Lady; for whose Person, his Highness had chiefly put himself to that Hazard.’

‘*Lastly*, When upon his Highness’s happy Return hither, we had just Cause to expect the utmost they would do in restoring the *Palatinate*; the faithful Promise of which was the only Cause that
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the Prince yielded to that Junctō of Divines, the Desponsaries being presently to follow; the *Berg-slat* was to be delivered to the Elector of *Mentz*, being won by the King of *Spain's* Arms, and Part of it then in Possession of his own Ministers, contrary to an express Article in the Treaty, concluded by *Don Carlos* and the Baron of *Bascot*; wherein it was particularly provided that no Alteration was to be made in these Treaties, till the general Treaty was at an End.

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These Reasons, with the consequent Advice to the King annexed, being read, the Lords approved of them by a general Vote of the House, *Nemine dissentiente*; and a Committee of the Lords was appointed to join that of the other House, in order to go and present them to his Majesty.

March 8. The Archbishop of *Canterbury* reported to the House, That, on the 6th Instant, the joint Committees of both Houses waited on his Majesty, at *Theobalds*; at which Time he delivered himself to the King as follows;

May it please your Most Excellent Majesty,

WE are come unto you, employed from your most faithful Subjects and Servants, the Lords and Commons assembled in this present Parliament.

The Address of
both Houses on
that Occasion.

And, *first*, They and we do give most humble and hearty Thanks unto Almighty God; that, out of his gracious Goodness, he hath been pleased, now at last, to dispel the Clouds and Mists, which, for so many Years, have dimmed the Eyes of a great Part of *Christendom*, in the Business whereof we do now consult.

And, *secondly*, We acknowledge ourselves most bound unto your Majesty; that you have been pleased to require the humble Advice of us your obedient Subjects, in a Case so important as this, which hitherto dependeth between your Majesty and the King of *Spain*; which we jointly offer from both Houses, *no one Person there dissenting or*

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disagreeing from the rest. And it is upon mature
‘ Consideration, and weighing many Particulars of
‘ sundry Natures, that, finding so much Want of
‘ Sincerity in all their Proceedings, we, *super totam*
‘ *Materiam*, present this our humble Address unto
‘ your Majesty; that the Treaties, both for the
‘ Marriage and the Palatinate, cannot any longer
‘ be continued with the Honour of your Majesty,
‘ the Safety of your People, the Welfare of your
‘ Children and Posterity, as also the Assurance of
‘ your antient Allies and Confederates.’

To this Speech from the Archbishop the King
returned this immediate Answer :

My Lords and Gentlemen all,

The King's An-
swer.

I Have Cause first to thank God with all my Heart
and all the Faculties of my Mind, that my Speech,
which I delivered in Parliament, hath taken so good
Effect amongst you; as that, with an unanimous Con-
sent, you have freely and speedily given me your Ad-
vice in this great Business; for which I also thank
you all as heartily as I can.

I also give my particular Thanks to the Gentlemen
of the Lower House; for that I heard, when some
would have cast Jealousies and Doubts between me
and my People, they presently quelled those Motions;
which otherwise might, indeed, have hindred the hap-
py Agreement I hope to find in this Parliament.
You give me your Advice to break off both the Treaties,
as well concerning the Match as the Palatinate: And
now give me Leave, as an old King, to propound my
Doubts, and hereafter to give you my Answer.

First, it is true, that I, who have been, all the
Days of my Life, a peaceable King; and have had the
Honour, in my Titles and Impresses, to be stiled Rex
Pacificus, should be loth, without Necessity, to embroil
myself with War; far from my Nature and from
my Honour, which I have had at home and abroad,
in endeavouring to avoid the Effusion of Christian
Blood; of which too much hath been shed, and so much
against my Heart: I say, that unless it be upon such

a Necessity, that I may call it, as some said merrily of Women, Malum necessarium, I should be loth to enter into it. And I must likewise acquaint you, that I have had no small Hope given me of obtaining better Conditions for the Restitution of the Palatinate, and that even since the sitting down of the Parliament: But be not jealous, nor think me such a King, that would, under Pretence of asking your Advice, put a Scorn upon you, by disdain and rejecting it: For you remember, that in my first Speech unto you, for Proof of my Love to my People, I craved your Advice in this great and weighty Affair; but, in a Matter of this Weight, I must first consider how this Course may agree with my Conscience and Honour; and next, according to the Parable uttered by our Saviour, after I have resolved of the Necessity and Justness of the Cause, to consider how I shall be enabled to raise Forces for this Purpose.

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As concerning the Cause of my Children, I am now old; and, as Moses saw the Land of Promise from an high Mountain, tho' he had not Leave to set his Foot on it; so it would be a great Comfort to me, that God would but so long prolong my Days, as if I might not see the Restitution, yet at least I might be assured that it would be; that then I might, with old Simeon, say, Nunc dimittis Servum tuum, Domine, &c. Otherwise it would be a great Grief unto me, and I should die with a heavy and discomfited Heart. I have often said, and particularly in the last Parliament, and I shall ever be of that Mind, That as I am not ambitious of other Mens Goods or Lands, so I desire not to enjoy a Furrow of Land in England, Scotland, or Ireland, without Restitution of the Palatinate: And in this Mind I will live and die.

But let me acquaint you a little with the Difficulties of this Cause. He is an unhappy Man that shall advise a King to War; and it is an unhappy Thing to seek that by Blood, which may be had by Peace. Besides, I think your Intentions are not to engage me in War; but, withall, you will consider how many Things are requisite thereunto.

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I omit to speak of my own Necessities, they are too well known. Sure I am, I have had the least Help in Parliament of any King that ever reign'd over you this many Years. I must let you know that my Disabilities are increased by the Charge of my Son's Journey into Spain ; which I was at for his Honour, and the Honour of this Nation: By sending of Ambassadors, by maintaining of my Children, and by assisting of the Palatinate, I have incurred a great Debt to the King of Denmark, which I am not able yet to pay.

The Low Countries, who, in regard of their Nearness, are fittest to help for the Recovery of the Palatinate, are at so low an Ebb, that, if I assist them not, they are scarce able to subsist. The Princes of Germany, that should do me any Good, are all poor, weak, and disheartened, and do expect Assistance from hence. For Ireland, I leave it to you, whether that be not a Back-Door to be secured. For the Navy, I thank God, it is in a better Case than ever it was, yet more must be done ; and, before it can be prepared as it ought to be, it will require a new Charge, as well for its own Strength, as for the securing of the Coasts.

My Children, I vow to God, eat no Bread but by my Means ; I must maintain them, and not see them want. In the mean Time, my Customs are the best Part of my Revenues, and, in effect, the Substance of all I have to live on ; all which are farmed out upon that Condition, That if there be a War, those Bargains are to be disannulled ; which enforce a great Desalcation.

Subsidies ask a great Time to bring them in : Now, if you assist me that Way, I must take them up beforehand upon Credit ; which will eat up a great Part of them. This being my Case, to enter into War, without sufficient Means to support it, were to shew my Teeth, and do no more. In the mean Time, I heartily thank you for your Advice, and will seriously think upon it ; as I pray you to consider of those other Parts.

My

My Treasurer, to whose Office it appertains, shall An. 21. James I.
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more at large inform you of those Things that concern my Estate. Thus freely do I open my Heart unto you; and, having your Hearts, I cannot want your Helps; for it is the Heart that openeth the Purse, not the Purse the Heart. I will deal frankly with you; shew me the Means how I may do what you would have me, and if I take a Resolution, by your Advice, to enter into a War, then yourselves, by your own Deputies, shall have the disposing of the Money; I will not meddle with it, but you shall appoint your own Treasurers. I say not this with a Purpose to invite you to open your Purses, and then to slight you so much as not to follow your Counsel, nor engage you before I have engaged myself. Give me what you will for my own Means; but, I protest, none of the Monies which you shall give for those Uses, shall be issued but for those Ends, and by Men elected by yourselves. If, upon your Offer, I shall find the Means to make the War honourable and safe, and that I resolve to embrace your Advice; then I promise you, on the Word of a King, that altho' War and Peace be the peculiar Prerogatives of Kings, yet, as I have advised with you in the Treaties on which the War may ensue, so I will not treat nor accept of a Peace, without first acquainting you with it, and hearing your Advice; and therein go the proper Way of Parliament, in conferring and consulting with you; and, haply, the Conditions of Peace will be the better, when we be prepared for War, according to the old Proverb, that Weapons bode Peace.

Your kind Carriage gives me much Content; and that comforts me, which my Lord of Canterbury said, That there was not a contrary Voice amongst you all; like the Seventy Interpreters, who were led by the Breath of God. I am so desirous to forget all Rents in former Parliaments, that it shall not be in my Default, if I am not in Love with Parliaments, and call them often; and I desire to end my Life in that Intercourse between me and my People, for the making of good Laws, reforming of such Abuses as I cannot be well inform'd of but in Parliament, and

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maintaining the good Government of the Commonwealth. Therefore go on cheerfully, and advise of these Points, and my Resolution shall then be declared.

Several Bills had been now read by the Lords, and others sent up by the Commons, that this great Council of the Land might not be wholly taken up with the *Spanish Match* and the Restitution of the *Palatinate*.

The Lords consider the State of the Nation.

March 11. The Lords took into Consideration the State of the Nation; which the Lord Treasurer (*n*) first gave an Account of to the House: Afterwards a Message was agreed upon to be sent to the Commons, to this Purpose:

‘That, according to his Majesty’s Command, a Relation of his Estate had been made by the Lord Treasurer unto them; and they imagine the like hath been done in their House, by some Members of it there: Therefore, as this is like to be the Foundation of these Endeavours, which must first arise from them, lest some Doubts should be started in that House, as there had been among the Lords, (which by all Means they do labour to avoid) their Lordships desire a Meeting, with all convenient Speed; where the Prince will be pleased, in his own Person, to clear such Doubts as have arisen in this Business.’ This was agreed to by the Commons; the Place, to be the *Painted Chamber*; the Time, immediately.

March 12. After the Reading of some public and private Bills, the Lord President of the Council, the Viscount *Mandevile*, reported to the House what passed at the Conference, Yesterday, with the Commons. He said,

‘That his Royal Highness’s Speech was framed upon two Doubts; one started in that House, and the second proposed by himself; and that he used an heroic Speech at the last. His Highness told them

(*n*) *Lionel Cranfield*, Earl of *Middlesex*, who was appointed Lord Treasurer on the Removal of the Viscount *Mandevile* to the Office of Lord President: [See Vol. V. P. 476.] But how this Account was received, and the Consequences thereof to himself, will appear in the Sequel.

them, That the Lord Treasurer had delivered to An. 21. James I. 1623.
the Lords the present Necessity of the King's Estate.

And a Doubt arising amongst their Lordships, what the King's End might be in this, his Highness thought fit to give his own Sense thereof; and, lest the like Doubt might also have arisen amongst them, the Lords had commanded him, as his Highness was pleased to say, to declare thus much unto them: 'That the King did not intend, by that Declaration, that we should presently enter into Consideration of relieving the King's Estate; but, to let us see and know, that he could not, of himself, and upon his Estate, maintain the War that might ensue upon our Advice; but intended that, in the first Place, we should provide for the Defence and Safety of the Kingdom; and when we had resolved upon that, then it should appear a Thing of no great Difficulty to settle the King's Estate in his own due Time.' This was for the Resolution of the first Doubt.

'Another Doubt his Highness moved of himself, That it might be some might fear and imagine, that, when these Things shall be settled, the King would be slow to call us together again. For this, his Highness urged them to call to Mind the latter Part of the King's last Answer, 'That it should not be his Fault if he was not in Love with Parliaments; and that, having Occasion lately to send unto the King, he found his Majesty willing to call us often to meet in Parliament.'

'But three Things his Highness wished us chiefly to consider: *First*, How far this Business was gone on already. *Secondly*, How far the Year was run on. And, *thirdly*, How far we have exasperated those whom we may conceive to be our Enemies. Three good Items.'

'Therefore it was fit to use Expedition, and so to provide, that we might not only shew our Teeth, and do no more; but also be able to bite when there shall be Cause. Something more the Prince added, as follows; but this he told them, they must ta'

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as spoken from himself: And certainly it was *Principe dignum*, a most heroic Speech.'

Gentlemen,

The Prince's
Speech for a War
with Spain.

I Pray you think seriously of this Business; take it to Heart and consider it. First, my Father's Honour, next mine; and more particularly mine, because it is my new Entering into the World. If, in this, ye shall fail me, ye shall not only dishonour me, but bring Dishonour upon yourselves: But, if ye go on with Courage, and shew Alacrity and Readiness in this Business, you shall so oblige me unto you now, that I will never forget it hereafter; and, when Time doth serve, ye shall find your Love and your Labour well bestowed.

Which Report the Lord President ended thus: 'This Conclusion did so take us, that we all prayed God to bless him, as we had just Cause to honour him.'

When the Lords had heard the Lord President's Report, they received a Message from the Commons to this Effect;

'That they had certain Information of great Sums of Gold to be transported beyond Seas, and, as they conjectured, by the *Papists*: Wherefore they thought good to acquaint their Lordships, in whose Power it is to redress the same, that they may take such Order therein as their Lordships think good.' The Lords answered, That they would immediately enquire about that Matter; and the Lord President, the Duke of *Buckingham*, the Earl *Marshal*, with the Earl of *Southampton*, were appointed a Committee for that Purpose.

The Commons
resolve to assist
the King therein.

Soon after came another Message from the Commons, importing, 'That the Knights, Citizens, and Burgesses having taken into mature Deliberation the King's Answer, given unto the Advice of both Houses on *Friday* last, the 5th of *March*, they have resolved, with great Alacrity and unanimous Consent, to give his Majesty Assistance: And, by reason of the Correspondence between both Houses, they

they desire a Conference; the Number, Time, and Place, at their Lordships Appointment.' An. 27. James I. 1623.

In answer to this the Lords named, presently, a Committee of six from each Bench to attend this Conference, that Afternoon; and, because some Emergencies may happen which will occasion the Advice of the House, they agreed to sit at the same Time. A Conferencethereupon.

Post Meridiem. The Committee of Lords being returned from the Conference with the Commons, the Archbishop of *Canterbury* made the Report of it to the whole House, to this Effect;

'That the Committee of the Commons acquainted them, That they were first commanded to return the hearty Thanks of their whole House to the Prince for his Highness's Speech unto their Committee, at their last Meeting; wherein they took much Joy and Comfort; and to assure him, that they will be ever very tender of his Highness's Honour.'

'That they had concurred, with one unanimous Consent, to the Assistance of his Majesty, whensoever he shall be pleased to declare himself touching the breaking off the two Treaties with *Spain*.'

'That they had drawn up a Model of that which they intend to present to his Majesty; and, for good Correspondency, they had brought the same to be allowed of here, with such Amendments, in the Introduction only, as their Lordships should think fit.'

Then the Attorney General read the Declaration, and the Lords gave their Consent to the Substance of it, by a general Vote of the House; but agreed to mend the same in the Introduction, because it was in the Name of the Commons only. This Addition the other Committee assented to; and, when it was all finished, it was agreed to be presented to the King, by a Committee of both Houses, at such Time as his Majesty would please to admit them to his Presence.

The *Journals* of the Commons are very defective in their first Account of this Session of Parli-

An. 21. James I. 1623. ment, called *The Originals*; but this is supplied by a *subsequent Account*, much fuller than the other:

And, as those of the Lords are so prolix in the Trials, &c. now before them, we shall begin with the Commons at this Period, to avoid Repetitions.—

What we find most remarkable in them is, that,

State of the
King's Debts.

March 11. The Chancellor of the Exchequer reported some Particulars relating to the King's present Debts, occasioned by some late Expences, and particularly the long and deceitful Treaties he had entered into, 'That, from the Year 1617, the King had expended 145,000 l. in Entertainment of Ambassadors sent hither; Charge of the naval Expedition against the Pirates; on Ships for the Prince's Journey; Money taken up by the Prince in *Spain*, &c. That there was 80,000 l. due to the King of *Denmark*, with Interest. Towards all these

————— Here is an *Hiatus* for what had been given towards it. And he next proceeds to acquaint the House what Savings, in the public Expences, had been made; as, 'That, for *Ireland*, an Establishment was begun there, both for Church and Common-Wealth; which, pursued, would subsist of itself: For the Navy, besides the King's Timber, it cost 50,000 l. a Year; reduced these last five Years to 30,000 l. and ten new Ships built, besides many Houses for Magazines: For the Forts, a Commission was given this last Summer to two Persons, who have made a Certificate of the Charge; which may be seen when the House pleases.'

The next that spoke was Sir *Benjamin Rudyard*, who proved, in the succeeding Reign, a great Orator in the House, he said, 'That Want of Parliaments were the principal Means of the Growth of Grievances in the Common-Wealth: That the King's Propositions to us now, were, how to make good that Breach which we advise him to: To prepare for their own Security: To intreat the Lords to join with them in a Committee of a Council of War, to devise the fittest Means to secure *Ireland*, our Forts, fit out our Navy, and join with

with the *Low Countries*: Also to present the King An. 21. James I. 1623. with some Relief for himself, to sweeten him, besides the Provision for War.

There were many Speakers besides, in these Affairs, all tending to advise the King to dissolve the Treaties; and, at last, it was resolved, upon the Question, ‘That, in pursuit of their Advice, upon his Majesty’s Declaration to break the Treaties, they would be ready to assist him, in a parliamentary Manner, with their Fortunes and Abilities.’ This was carried without one Negative Voice: But the Result of all these Resolutions will appear in the subsequent Proceedings of the Lords.

March 13. After some public and private Bills were read, his Royal Highness acquainted the House, That his Majesty was pleased the Committees of both Houses should attend him the next Day, at *Whitehall*, at Two in the Afternoon, in order to deliver their Declaration. And a Preamble to it being thought necessary by the Lords, the same was communicated, by Message, to the Commons, and approved of by that House. Accordingly,

March 14. The Archbishop of *Canterbury* (n), who had been appointed to deliver these Matters to the King, waited on him, at the Head of the Committee of both Houses, and spoke as follows:

May it please your Sacred Majesty,

‘WE are come unto you again from your most faithful Subjects and loyal Servants, the Lords and Commons in this present Parliament assembled. And, first, we humbly let your Majesty know how much we hold ourselves bound to Almighty God, that he hath set a King to rule and reign over us, who is pleased, in the greatest and weightiest Causes, to speak and be spoken unto in Parliament, by his good and loving People; which maketh a King to understand them over whom he beareth Rule, and them again to understand him. It is a true Bond
The Declaration of both Houses to assist his Majesty, upon his Dissolving of the Treaties with Spain.
 ‘ that

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‘ that tieth the Heart of a Sovereign to a Subject,
‘ and of a Subject, reciprocally, to their Liege
‘ Lord and Sovereign.

‘ Next, we rejoyce that your Majesty has shewn
‘ yourself sensible of the Insincerity of that People,
‘ with whom, of late, you have had a double
‘ Treaty, and of the Indignities offered by them
‘ to your blessed Son, the Prince, and to your
‘ Royal Daughter; and that your Kingly Heart is
‘ filled with an earnest Desire to make Reparation
‘ to her noble Comfort and herself of the *Palati-*
‘ *nate*, their Patrimonial Possession; which is agree-
‘ able to Justice, and unto all the Laws both of
‘ God and Man.

‘ For the effecting whereof, to testify with what
‘ Alacrity, and with what Expediteness and Uni-
‘ formity of Heart, both your Houses of Parlia-
‘ ment, in the Name of your whole Kingdom,
‘ have borne themselves unto your Majesty, with
‘ Offer to give you their real Assistance; we have
‘ digested it into Writing, lest, by the verbal or
‘ vocal Delivery of any one Person, it may mis-
‘ carry, or the Expression of our Zeal be weaken-
‘ ed and diminished; which we humbly pray your
‘ Majesty to give me Leave to read unto you.’

THE PARLIAMENT’S REMONSTRANCE OF DECLARATION TO THE KING.

May it please your Most Excellent Majesty,

‘ **W**E your Majesty’s most humble and loyal
‘ Subjects, the Lords and Commons in
‘ this present Parliament assembled, having lately
‘ received and taken into our Consideration your
‘ gracious and prudent Answer, given to the un-
‘ animous and humble Advice, presented to your
‘ Majesty in the Name of both Houses, (That the
‘ two Treaties, one of the *Palatinat*, the other
‘ of the *Marrage*, might be dissolved.) do, in all
‘ Humbleness, render to your Majesty our most
‘ dutiful Thanks, that you have been pleased to
‘ take in so good Part the Manner of our Pro-
‘ ceedings

ceedings in that weighty Business; as, likewise, An. 21. James I.
graciously to intimate your Royal Inclination not
to reject that Counsel which yourself was pleas'd
to ask; and which, accordingly, hath been offer-
ed to your Majesty in the Name of both the
Houses.

And whereas, in your princely Wisdom, you
made known to us, That your own Treasure,
by reason of your extraordinary Charge and Ex-
pence at this Time, is so much exhausted, that
your Majesty, by your own Means, cannot sup-
port a War, which, haply, may follow on the
Breach of these Treaties: We do therefore, most
humbly and earnestly, beseech your Majesty,
that neither that, nor any other Consideration,
may hinder your present Resolution, for which
you have our most chearful and universal Advice;
and we do, with dutiful and zealous Affections,
assure your Majesty, and hereby manifest and de-
clare, That in Pursuit of our Advice, upon your
Resolution made to dissolve the said Treaties,
(the Deferring whereof may prove dangerous)
we will be ready, in a Parliamentary Manner,
with our Persons and Abilities to assist you.

Mr. *Rushworth* hath given us the *Archbishop's Pre-
amble*, the *Parliament's Declaration*, and the *King's
Answer* to them, at this Time (o); but how
widely different from those above, taken from
the *Lord's Journals*, will appear to any who will
give themselves the Trouble to compare both.
The *introductory Speech*, indeed, is pretty exact;
but the *Declaration* in *Rushworth* is a quite dif-
ferent Thing; being the *Proposition* which was
made to the King, some Days after this, on his
Answer to the *Declaration*; as the Reader will
find in the Sequel. The *King's Answer* is like-
wise defective in many Places; whole Paragraphs
being omitted, and others strangely mutilated.
Many more Mistakes, of this Nature, will be
found

(a) *Collections*, Vol. I. P. 134, &c.

An, 21. James I. found in that Gentleman's *Collections*, in the Progress of these Enquiries.
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It is to be noticed also, That his Royal Highness's Explanations of some Passages in his Father's Speech, were not made at the Time when the King spoke it; but when the Attorney-General was ordered to read it again to the Lords. Otherwise, as it stands in *Rushworth*, it looks as if the King had placed the Prince and the Duke at his Elbow, to explain his own Meaning to the Committees.— This has induc'd us to collate every *Speech*, *Remonstrance*, &c. in his *Collection*, with the *Journals*.— And, to prevent the Imputation of not doing Mr. *Rushworth* full Justice in this Affair, his *Omissions* are distinguished, by being printed between *Crotchets*; and where there are *Variations*, only, we have given the Text as it stands in the *Lords Journals*, and Mr. *Rushworth's* is added by way of Note.— A Caution highly necessary where the Care, or Integrity, of so celebrated a *Collector* is call'd in Question. — But to proceed.

To the foregoing *Remonstrance* his Majesty answered as follows:

My Lords and Gentlemen all,

The Report of
the King's Answer.

I Have nothing to say to the Preamble of my Lord of Canterbury, but that he intimated something in it which I never spoke (p): For whereas he said, 'I have shewed myself sensible of the Insincerity of those, with whom I had lately to deal, and of the Indignity offered to my Children.' In this you must give me Leave to tell you, that I have not expressed myself to be either sensible or insensible of their good or bad Dealing: Buckingham hath made a Relation to you, by my Commandment, which you are to judge upon; but I never yet delivered my Mind upon it. When Jupiter speaks he uses to join his Thunder to it; and a King should not speak, except he maintain it

(p) In *Rushworth* it runs thus, cannot allow of.

it by Action (q). *As for the Matter of their Declaration unto my Demands, which you have couched in that Paper, which I now heard read unto me, I confess, it is without Example, that any King hath had such an Offer. And, with your Favour, I need fear nothing in this World, having so much the Hearts of my People. For the large Offer of Assistance, I hold it to be more than Millions of Subsidies; and, indeed, it is an ample Reward for the Trust and Freedom which I have used with you.*

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But, my Lords and Gentlemen, you must give me Leave, on the other Side, to consider the Possibility of the Action: For, in this Case, I must do, as a Man that maketh a Fortification, which must have Out-Works and In-Works; so I must not deal only with my own People, but with my Neighbours and Allies, to assist me in so great a Business as the Recovery of the Palatinate. And, in this Case, it is not sufficient to have the Hearts of my Subjects, without the Help of my Neighbours and Allies. On the other Side, unless particular Means be set down, it will neither be a Bridle to our Enemies, nor a Comfort to my Friends who shall join with me. General Words will not carry it; therefore I must resort to particular Means, and follow the Counsel of our Saviour Christ in the Gospel, before I begin a War, to see how I can maintain it. God knows it is a longsome Work, yet I desire with Moses, as I said before, but to see the Land of Promise, tho' I live not till it be recovered. But unless particular Means be discovered, it is little to the Point: Therefore, since you give me such fair general Promises, I will deal freely with you, I will tell you, in particular, the Way I will propose, either by way of Subsidies or otherwise; which being done in Parliament is a Parliamentary Way. I would require you to be pleased to bestow upon me five Subsidies, and two Fifteens to every Subsidy, for the War: And, for mine own Necessities, my crying Debts are so heavy,

(q) Rushworth has it thus, *It was Buckingham's Relation to you which touch'd upon it; but it must not bar me. nor make Jupiter speak that which Jupiter speaks not; for when I speak any such Thing, I will speak it with that Reason, and back it with that Power, which becomes a King,*

An. 21. James I. vy, that no Man can bear them with a greater Grief
1623. of Heart, and Sting of Conscience, than I have done,
and do: And I now growing old, would be glad to
see a Means for the satisfying of my Debts before I
go out of the World: And, for this End, I desire you
would give me one Subsidy and two Fifteens yearly,
untill my Debts be paid.

Here the Prince his Highness taking Notice of an
Objection made, that this might seem contradictory
to that which his Highness had told the Committee
of both Houses, That the King's Majesty would
ask nothing for his own Particular till the Wars
were provided for: The Prince said, That the Duke
of Buckingham, in his Absence, hath moved this
Doubt unto the King.

Whereupon the Duke affirmed, that, speaking
with the King about it, his Majesty was pleased to
say, If we would add one Subsidy, and two Fif-
teens to make it up six Subsidies and twelve Fif-
teens for the War, he was well content to quit that
which he had asked for his own Necessities.

The King proceeded: *If this may be done, or that
I may see a fair Way for it, I will follow your Ad-
vice; for I would never have asked your Advice to
reject it, or to put a Scorn upon you. For the levying
of these Subsidies and Fifteens, I would have you to
consider how to clear these two Difficulties. If you
levy them too suddenly, it may be heavy for the People;
if you stay too long, it will not serve the Turn: But
this I leave to your Consideration. And since I leave
it to yourselves to receive the Money, and expend it
by your own Committees of both Houses, you may be
the more secure. And yet I would not have you to be
too hasty in the levying of it, that no Extremity be
shewed to my People by imposing too heavy a Burden
upon them, which God forbid. On the other Side,
the Business will not suffer too long lingring about it.
I told you before, I had, in this great Business, to look
to my Conscience and Honour, as well as to the Means;
For the Means, I must have it from you; my Con-
science and Honour is my own, of which I have
thought*

thought, and do think daily, and how I shall be able to discharge them as a King ought to do. In this Point I am already resolved in a great Part; but, if any Scruple shall remain with me, I will acquaint you with it, and not only seek but follow your Advice (r). An. 21. James I.
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Here again the Prince said, He had spoken with his Father, to know of him, whether he were satisfied in Honour and Conscience that he might in this Case undertake a War; and that his Majesty answered, He was already satisfied and resolved therein; but, for the Manner of publishing it, he would take your Advice.

Then the Duke of Buckingham said, The Reason why his Majesty used these Words, was, that having formerly spoken of his Honour and Conscience, if he should now have left them out, it might have been thought that Money only had drawn him to it. But the King said he was already satisfied and resolved, yet would have our Advice for the Manner of declaring it.

The King again proceeded. *I told you before, that this was the Way to make me in Love with Parliaments: And, to shew mine Inclination to continue them still, my Resolution is to make this a Session for the passing of as many good Laws, as, in convenient Time, may be prepared; and, at Michaelmas, or within a few Days after, to have a new Session, and another at the Spring. And, in the mean Time, you may go down and acquaint yourselves with the Grievances of my People, and you shall see my Care to make good Laws, and to reform Abuses; that so my Subjects may find the good Fruits of Parliaments, and rejoice in them: And, I protest, as I have asked your Advice in these Points, which I needed not to have done, so I will never enter into any Agreement or Treaty of Composition for Peace, which is the End of War (else it is unjust and unchristian) without your Advice: And I will help you myself, if we enter into a War, to make*

(r) In Rushworth it is, Yet not without taking Help of your Advice, which I would never have moved, unless I had meant to follow it.

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AN. 21. James I. *make it allowable to the World, and honourable for me.*
1623.

Several Days passed after the last Date, without any Thing being done by the Lords, or sent up by the Commons, worth our Notice (s), untill,

March 22. When the Lords received a Message from the Lower House, importing, 'That, since they desired all Expedition to be made in the great Business of the two Treaties, and had taken into Consideration his Majesty's last Answer, they have thought on a Proposition to be made to him touching those Affairs; wherefore they desire a Conference with the Lords about it.'

This Conference was accepted by the Lords; and, when their Committee was returned from it, the Report was made by the Archbishop of *Canterbury*, That the Commons had delivered to them their Propositions in Writing, and had left a Blank for their Lordships to be named with them, if they thought fit. Then they were read to the House, and the Question being put, it was agreed, by all, only one Lord dissenting, to fill up the Blank. But afterwards, the Lords taking Exception against one Clause about Religion, mentioned in the said Proposition, the Commons agreed to leave it out; but not without a Division of their House. The Proposal from the two Houses therefore, as it was delivered to the King by the Archbishop of *Canterbury*, was in these Words:

Most Gracious Sovereign,

The Parliament's
Address to his
Majesty upon vo-
ting a Supply.

WE your Majesty's most humble and loyal Subjects, the Lords and Commons in this present Parliament assembled, do first render to your most Sacred Majesty our most dutiful Thanks, for that, to our unspeakable Comfort, you have vouchsafed to express yourself so well satisfied with our late Declaration made unto your Majesty, of our general Resolution, in Pursuit
of

(s) From *March 17 to April 21*, the *Commons Journals* are deficient.

‘ of our humble Advice, to assist your Majesty in An. 22. James I.
 ‘ a Parliamentary Way with our Persons and Abi- 1622.
 ‘ lities.

‘ And whereas your Majesty (in your great Wis-
 ‘ dom and Judgment, foreseeing that it will make
 ‘ a deeper Impression, both in the Enemies of that
 ‘ Cause, and in your Friends and Allies, if they
 ‘ shall not only hear of the chearful Offers, but
 ‘ also see the real Performance of your Subjects
 ‘ towards so great a Work) was graciously plea-
 ‘ sed to descend to a particular Proposition, for
 ‘ the advancing of this great Business: We there-
 ‘ fore, in all Humbleness, most ready and willing
 ‘ to give your Majesty, and the whole World, an
 ‘ ample Testimony of our sincere and dutiful In-
 ‘ tentions herein, upon mature Advice and Deli-
 ‘ beration, as well of the Weight and Importance
 ‘ of this great Affair, as of the present Estate of
 ‘ this your Kingdom (the Weal and Safety where-
 ‘ of is, in our Judgments, apparently threatned,
 ‘ if your Majesty’s Resolution, for the dissolving
 ‘ of the Treaties now in question, be longer de-
 ‘ ferred; and that Provision for Defence of your
 ‘ Realm, and Aid of your Friends and Allies, be
 ‘ not seasonably made) have, with a chearful Con-
 ‘ sent of all the Commons, no one dissenting, and
 ‘ with a full and chearful Consent of the Lords,
 ‘ resolved, That (upon your Majesty’s public De-
 ‘ claration for the Dissolution and utter Discharge
 ‘ of both the said Treaties, of the *Marriage* and
 ‘ of the *Palatinate*, in Pursuit of our Advice there-
 ‘ in; and towards the Support of that War which
 ‘ is likely to ensue; and more particularly for those
 ‘ four Points proposed by your Majesty, namely,
 ‘ for the Defence of this your Realm, the secu-
 ‘ ring of *Ireland*, the Assistance of your Neigh-
 ‘ bours the States of the *United Provinces*, and
 ‘ other your Majesty Friends and Allies, and for
 ‘ the setting forth of your Royal Navy) we will
 ‘ grant for the present the greatest Aid which was
 ‘ ever given in Parliament, [*to be levied in so short*
 ‘ *a Time,*] that is to say, Three entire Subsidies.

An. 21. James I.
1623.

‘ and three Fifteenths, to be all paid within the
‘ Compass of one whole Year after your Majesty
‘ shall be pleased to make the said Declaration; the
‘ Money to be paid into the Hands, and expended
‘ by the Direction of such Committees or Com-
‘ missioners, as hereafter shall be agreed upon at
‘ this present Session of Parliament.

‘ And so we most humbly beseech your Maje-
‘ sty [*graciously*] to accept of these First-Fruits of
‘ our hearty Oblation, dedicated to that Work,
‘ (which we sincerely desire may prosper and be
‘ advanced) and, for the future, to rest confi-
‘ dently assured, That [*if you shall be engaged in*
‘ *a real War*] we, your loyal and loving Subjects,
‘ will never fail, in a Parliamentary Way, to assist
‘ your Majesty in so Royal a Design; wherein
‘ your own Honour, and the Honour of your
‘ most noble Son, the Prince; the antient Renown
‘ of this Nation; the Welfare, and very Substist-
‘ ence of your noble and only Daughter, and her
‘ Consort, and their Posterity; the Safety of your
‘ own Kingdom and People; and the Prosperity of
‘ your Neighbours and Allies, are so deeply en-
‘ gaged.’

Thomas Morley
and others pu-
nished for reflect-
ing on the Lord
Keeper.

March 23. One *Thomas Morley*, having pre-
sented a Petition to the House of Lords, highly re-
flecting on the Lord Keeper, for some indirect
Practice against him in the *Star-Chamber*; and,
afterward, printing and dispersing many Copies a-
broad: The said *Morley* was called before the House
to answer the same; and, after a full Hearing of
his Allegations, behaving himself very impudently
at the Bar, he was, by general Consent, sentenced,

I. ‘ That the said *Thomas Morley* shall, for his
great Offence, be imprisoned in the *Fleet* during
the Pleasure of the House.’

II. ‘ That he shall undergo, to the King, a Fine
of 1000 l.’

III. ‘ That he shall stand, with his Neck in the
Pillory, in *Cheap*, with one of the said Petitions
upon his Head, at Eleven in the Forenoon.’

IV.

Of ENGLAND. III

IV. ' That he shall make his humble Submission and Acknowledgement of his Fault at the Bar, and also in Chancery, unto the Lord Keeper, the first Day of next Term.'

An. 27. James II.
1623.

One *David Waterhouse*, who had penned the said Petition for *Morley*, was also fined 500 l. and imprison'd during Pleasure, &c. The Printer was likewise punished, but in a milder Manner.

March 24. The House of Lords went upon a further Justification of the Duke of *Buckingham*, against the Complaint of the *Spanish* Ambassador to the King. And there having been a Memorial presented to his Majesty, by both Houses of Parliament, concerning it, according to an Order of the 27th of *February* last and the first of *March*, the Report of it was made to the House this Day, by the Lord Keeper, with the King's Answer to it, in Manner following :

May it please your Most Excellent Majesty,

' **Y**Our Majesty's most loyal Subjects, the Lords Spiritual and Temporal, the Knights, Citizens, and Burgeesses, assembled, at this Time, in both Houses of Parliament, being informed of a Complaint made to your Most Excellent Majesty, against the Lord Duke of *Buckingham*, That, in the Narrative, which, by your Majesty's Command, he made to both Houses, the 24th of *February* last past, he should let fall some Passages, grievous to the Honour of the King of *Spain*, and inferred to be of so high a Nature, as, if the like had been spoke by any Subject of that King against your Majesty, it would not have been otherwise expiated, than with the Loss of his Head that spoke it: Taking this into their serious Consideration, and conceiving that this Accusation doth, in an oblique Line, fasten an Aspersion upon themselves also, do, in all Submission and Humility, make to your Majesty a threefold Representation: *First*, Concerning that great King. *Secondly*, Concerning that eminent Lord. *Thirdly*, Concerning themselves.

Both Houses present to the King a Memorial in Justification of the Duke of Buckingham.

' *First*,

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An. 21. James I.
1623.

‘ *First*, Concerning that King, they do, with the unanimous Vote of both Houses, absolutely acquit and clear the Lord Duke from letting fall any Words, at all, derogatory to the Honour of that King.

‘ For the *second*, that concerns my Lord, they do, in the like Humility, attest unto your most Sacred Majesty, That if my Lord the Duke had omitted any Matter represented unto them that Day, he had for so much failed in the Performance of that Duty and Fidelity which he oweth unto your Majesty, to the Business, and unto both Houses.

‘ For the *last*, which concerneth themselves, they make bold, in like Humility, to represent unto your Majesty, That they do much honour my Lord the Duke for that Narration, and do render unto him all possible Thanks for the Fidelity and Industry expressed therein; and so, without your further Trouble, do humbly beseech your Most Excellent Majesty to interpret fair of this their Representation, which they held themselves bound to offer unto your Majesty, for the clearing of so eminent a Person; who, as they verily believe, hath, in this Negotiation, well-served of your Majesty and the Common-Wealth: So they heartily pray unto God long to preserve your Most Excellent Majesty.’

This ended, the Lord Keeper proceeded thus in his Report;

‘ Now, my Lords, concerning his Majesty’s Speech; it is not to be express’d or reported, because it is a Speech of Affection as well as of Narration, not possible to be uttered, but in the same Words it was delivered: Therefore, unless a Man had *Myron’s Art*, *Qui Animos Hominum depinxisse dicitur*, who could paint to the Life the Souls and Affections of Men, he cannot do this as it should be done; for, as *Livy* said of *Cicero*, *Ad laudandum Ciceronem, altero Cicerone opus est*, there had need

to be another *Cicero* to undertake the commending of *Cicero*; so, surely, he ought to have as large a Heart as our gracious King, that will report his powerful and gracious Expressions.

An: 21. James I.
1623.

‘I will therefore crave Pardon of the House for delivering it in Writing, very near the Words and Syllables in which it was pronounced; and, first, to be read once or twice, if your Lordships please, to the House, and then to be enter’d in the *Journal Book*, as a Record of no small Comfort and Consequence to the Public: For I may, without Flattery, which, for ought I know, I have been ever free from, declare, That such Servants as these, *sunt Instrumenta boni Sæculi*, are Tools and Instruments to carve out a brave and happy World to ensuing Posterity, as *Symmachus* writes in one of his Epistles.’

This said, the Lord Keeper read his Majesty’s Speech, out of a Paper, *in hæc Verba*:

My Lords and Gentlemen all,

I Might have Reason to speak nothing in regard of His Majesty’s the Person whereof you speak, but, in regard of your Motion, it were not civil; for, if I be silent, I shall wrong neither myself, nor that Nobleman which you now speak of, because he is well known to be such an one as stands in no Need of a Prolocutor, or Fidejussor, to undertake for his Fidelity, or well carrying of his Business: And, indeed, to send a Man upon so great an Errand, whom I was not resolved to trust for the Carriage thereof, were a Fault in my Discretion scarce compatible to the Love and Trust I bear him. It is an old and true Saying, That he is a happy Man that serves a good Master; and it is no less Truth, That he is a happy Master that enjoys a faithful Servant.

The greatest Fault, if it be a Fault, or at leastwise the greatest Error, I hope he shall ever commit against me, was his desiring this Justification from you, as if he should have need of any Justification from others towards me; and that for these Reasons:

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H

First,

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An. 21. James I. 1623. First, *Because he, being my Disciple and Scholar, may be assured I will trust his own Relation.*

Secondly, *Because he made the same Relation unto me, which he did afterwards unto both Houses; so as I was formerly acquainted both with the Matter and Manner thereof; and if I should not trust him in the Carriage, I was altogether unworthy of such a Servant. He hath no Interest of his own in the Business: He had ill Thoughts at home for his going thither with my Son, altho' it was my Command, as I told you before: And now he hath as little Thanks for his Relation on the other Part; yet he that serveth God and a good Master cannot miscarry for all this.*

I have noted in his Negotiation these three remarkable Things, Faith, Diligence, and Discretion; whereof my Son hath borne Record unto me; yet I cannot deny, but, as he thought to do good Service to his Master, he hath given ill Example to Ambassadors in Time to come, because he went this long Journey upon his own Charges. This would prove an ill Example, if many of my Ambassadors should take it for a Precedent. He ran his Head into the Yoke with the People here for undertaking the Journey, and when he there spent about forty or fifty thousand Pounds, never offered his Account, nor made any Demand for the same, or ever will. I hope other Ambassadors will do so, no more. I am a good Master that never doubted of him; for I know him to be so good a Scholar of mine, that I say, without Vanity, he will not exceed his Master's Dictates; and I trust the Report not the worse he made, because it is approved by you all; yet I believe an honest Man as much as all the World, and the rather, because he was a Disciple of mine. I am glad he has so well satisfied you, and thank you very heartily for taking it in so good Part, as I find you have done.

When this Answer of the King's was also read to the House, and was ordered to be enter'd in the Journals, the Duke of Buckingham stood up, and gave unto the Lords his most hearty Thanks for the

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the great Favour they had done him; and professed to their Lordships, ' That they had absolutely engaged him for the Time to come, to employ all the Power and Favour, which he had in his Majesty's Service, for the public Good of the Kingdom, and for the Service of every one of their Lordships, in particular, who should have occasion to make use of him. Concerning his Journey to *Spain*, it did not cost him so much as his Majesty was pleased to name; yet, whatsoever it was, he might very well expend it in his Majesty's Service, being but the Produce of his Bounty and Goodness towards him. And, if his Majesty should extend his Liberality to any one of his Ambassadors, in so large a Proportion, they would be very unthankful, if they did not do as much for him as he had done.'

An. 21. James I.
1623.
The Duke of
Buckingham's
Thanks to the
Lords for their
Justification of
him.

The Duke further declared, ' That it was his Majesty's Intent to send a present Dispatch into *Spain*, in order to break off the two Treaties of the *Match* and the *Palatinate*, as was required by Parliament, with the Reasons moving him thereto.'

The Lords no sooner heard this latter Part of the Duke's Speech, than they sent a Message to the Commons to desire an immediate Conference with them, in order to communicate this pleasing News to that House. And joyful News it was to all *England*, as well as to the Parliament. The City of *London*, *Rushworth* tells us, testified their Approbation of it by Bonfires, ringing of Bells, and other Demonstrations of Joy: But, as it is common in those Cases, for the Mob to exult too much, and carry their Zeal too far, so, in this, they exceeded their Bounds, as appears by the following Abstract from the *Journals*. The King had published a Declaration of this Breach with *Spain* the Day before, which occasioned the Rejoicings. And,

Public Rejoicings
upon breaking off
the Treaty with
Spain.

This Day, the Duke of *Buckingham* signified to the Lords, ' That the People making Bonfires, Yesterday, for Joy of the King's Declaration, some of the Servants of the *Spanish* Ambassador looking at them, were very uncivilly used.' Therefore

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An. 22. James I. his Grace moved their Lordships to take this into
1624. their Consideration, and redress the Wrong done
to a foreign Ambassador.

The House approved well of the Duke's Motion, and agreed, That if they could, by strict Enquiry, which they intended to make, find out the Offenders therein, they would cause them to be punished, according to the King's late Proclamation, forbidding any Abuses to be offered to Ambassadors. And they further agreed to signify this to the Commons at the next Conference.

March 25. The Festival of *Easter* now drawing nigh, the Lords agreed to a Recess of Parliament till *Thursday, April 1*, in that Week. In the mean Time they appointed a Committee of their House, to assist the King's Secretaries, in that Vacancy, in drawing up a Manifesto of this great Affair; of which they also agreed to inform the Commons.

The same Day, a Committee of Lords being returned from a Conference with the Commons, the Lord President read the King's Declaration, which he made two Days before to a Committee of both the Houses; which was in these Words:

My Lords and Gentlemen,

The King's Declaration for that Purpose.

THE last Time I spake to you anent this great Business, I told you what, in my Opinion, was necessarily required for the beginning of it, the Reasons whereof you have truly set down out of my last Speech; wherein I shewed you what Good it would do, and what Harm it might free us from, to express particular Aids at this Time as well as general Promises. It is true, I must confess, that how far you declare yourselves, is sufficient for the present Enterance into the Business, tho' a great deal short of what I told you it would require. But, as God bears me Record, and, I think, the Hearts of all my loving Subjects will testify for me, I never did stick for Money, but only desired you to clear yourselves by Particulars, that I may see how I may be able to go thro' so great

great a Matter, at least to make a good Beginning of An. 22. James I. 1624.
the War; for what the End will be, God knows.

So, on the other Part, I gave you Thanks for your general Offer, by which you did engage yourselves, in your Lives and Estates, which is more than forty Subsidies, if you had named them, and more worth than a Kingdom; for the Strength of a King, next under the Protection of God, stands in the Hearts of his People. And I must needs say, in this Particular, it is without Example, that ever any Parliament, for a Beginning, gave to a King so great a Supply to be levied in so short a Time. This may well serve for a Preparation: And, for my Part, first, considering your general Offer, (which is ten Times more to me than all Subsidies) and, next, considering that these Particulars, coming from you, be as much as at once you are able to pay in so short a Time, being within a Year, and as much as may be well expected: Therefore, with as much Love, and as great Thanks, as a loving and kind King can give to so loving and dutiful People, I thank you for your Offer, and do accept it.

I told you before, that I would never have craved your Advice to reject it, and so put a Scorn upon you: Think me not that Man.

It is true, I think no wise King can undertake so great a Bargain, but he must well bethink himself before-hand: And I account it better that a King advise well before he take a Resolution, than advise rashly, and after repent. Therefore, my Lords and Gentlemen, I declare unto you, That as I am willing to follow your Advice in the annulling and Breach of the two Treaties, both of the Match and of the Palatinate; so, on the other Part, I assure myself, you will make good what you have said, That what you advise me unto, you will assist me in, with your Wisdom, and Council, and Forces, if need require.

I pray you have a charitable Opinion of me, as you are to have of a King who hath so long ruled and governed over you; and I may vaunt myself thus far to have done it with Justice and Peace: But, as I told you before, all my Forbearance hath been for
H 3 sparing

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AA. 22. James I.
1624.

sparing the Effusion of Christian Blood, and as the most easy and probable Way for recovering the Palatinate for my Children. It is true I have been so long delayed and payed with Generals, that I dare not longer trust unto them; which made me enjoin Buckingham to make (1) a particular Relation unto you of all that Business, (and I am sure such an Account was never before given in Parliament) that thereby you may know what to trust to. I could, in this Case, have resolved myself; but, I thought it could not but be both a Strength and Honour to me to have the Advice of my People.

My Lords, in the late Parliament, I then declared it unto you, That I was resolved, without Respect of Friendship, or Match, or whatsoever, to have the Palatinate one Way or other. I hope you remember it.

God is my Judge and Saviour I never had any other End, and it is Pity I should live to have any other End; and, for my Part, except, by such Means as God may put into my Hands, I may recover the Palatinate, I could wish never to have been born. I am old, but mine only Son is young, and I will promise for myself and him both, that no Means shall be unused for the Recovery of it. And this I dare say, as old as I am, if it might do good to the Business, I would go in my own Person, and think my Labour and Travel well bestowed, tho' I should end my Days there: For if I should spare any Means possible for the Recovery of it, then let me be thought not worthy to reign over you; and, in good Faith, I never resolved to live with other Mind. And, I will say more, there was never any Enemy of my Son-in-Law, with whom I talk'd of that Business, or any that ever I spake with of the same, which did not say, and confess, I had Reason to have the Palatinate, one Way or other: And when they say that it is good Reason, and themselves allowed it, it is a good Spur to me to think on it.

My Lords and Gentlemen, thus far assure yourselves, I will go cheerfully about it, to prepare all Things

(1) I. Rushworth thus: Trust unto that which made me err. The Duke of Buckingham made, &c.

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Things possible for it; and as you have given me the Means, so will I employ them toward it.

An. 22. James I.
1624.

In the next Degree, I hope you will think of me; but that I leave to your own Counsel and Consideration: But, I protest to God, a Penny of this Money shall not be bestowed but upon this Work, and by your own Committees: And, I assure myself, you will think of me for a double Reason, my Customs are likely to fall, by Occasion of the War, and my Charges increase; but, undertaking the War, I must go thro' with it one Way or other, tho' I sell my Jewels and all.

In the next Session you will consider how this hath been husbanded, and, according to that, think what is next to be done; and it will spur you the more to enable me for the rest, whereof I speak to you before. I will clear you in some Things (for I will not deal with you in any Thing but fairly and clearly as a King): Tho' I have broken the Necks of three Parliaments, one after another, I hope that, in this Parliament, you shall be so resolved of the Sincerity of my Heart, and of your Duties and Affections, that this shall be a happy Parliament, and make me greater and happier than any King of England ever was.

In my last Speech I promised you, That if I accepted your Offer, I would follow your Advice, and would not after hearken to any Treaty of Peace, without first acquainting you, and requiring your Advice; and I likewise promised nothing should be spent of your Monies but by your own Committees: But I desire you to understand, that I must have a faithful secret Council of War, that must not be ordered by a Multitude, (for so my Designs may be discovered beforehand) and one Penny of this Money shall not be bestowed but in Sight of your own Committees. But where I shall send twenty thousand Pounds, or ten thousand Pounds, whether by Sea or Land, East or West, by Diversion, or otherwise, by Invasion upon the Bavarian or Emperor, you must leave that to your King.

Assure

Aug. 22. James I.
1624.

Assure yourselves my Delay hitherto was upon Hope to have gotten it without a War. I held it by a Hair, hoping to have gotten it by a Treaty; but, since I see no Certainty that Way, I hope that God, who hath put it into your Hearts thus to advise me, and into my Heart to follow your Advice, will so bless it, that I shall clear my Reputation from Obloquy; and, in despite of the Devil and all his Instruments, shew that I never had but an honest Heart: And I desire that God would bless our Labours for the happy Restitution of my Children; and whosoever did the Wrong, I deserved better at their Hands.

Which Declaration being ended, the House was adjourned, according to Order, to the first Day of April.

Account of the
Preparations on
the Part of Spain.

On that Day the Lords read several public and private Bills; after which the Duke of Buckingham informed the House, ' That he had been to take a View of the Navy, according to his Place of High Admiral. He told them likewise, That he had certain Information from abroad, that the King of Spain had then in Readiness a far greater and stronger Navy than that in 1588: That, at Dunkirk, he had already built 100 flat Bottoms: That they had taken many of our Men upon our own Shores, and out of our own Harbours: Therefore he moved, ' That since the two Houses had agreed to give a Supply to the Assistance of this great Business in Hand, tho' the Grant thereof be not yet passed into an Act, that the same may be so handled as to be useful; which will not be, if the Time be now neglected, or this Month and the next overslipp'd: Wherefore the Duke further moved, That a Meeting might be instantly prayed with the Commons to propose to them, that certain monied Men might be dealt with, to disburse such a Sum as was requisite for the present Use, the Repayment of which to be secured by Parliament, out of the Subsidies intended in the Grant, according to what had been heretofore done in the like Cases. Concluding, That he doubted not but some would

would be found to disburse the same upon that Security? An. 22. James I.
1624.

A Message was immediately dispatched to the Commons to inform them, That the Lords had a Business of Importance to communicate to them, and therefore desired a speedy Conference. Their Answer was, That they would attend their Lordships Pleasure. The Lords desired
a Conference in
regard to the Sup-
ply.

The Duke of *Buckingham* acquainted the Lords, ' That the *Spanish* Ambassador, being lately at Court, his Majesty had declared to him the *Dissolution* of the *two Treaties*, and that he had sent a Dispatch into *Spain* concerning the same.' The Lords agreed, That these Matters be signified to the Commons at the intended Meeting.

The same Day, the Committee of Lords being return'd from the Conference, the House received a Message from the Commons, importing, ' That they had taken the Proposition made to them, at the last Meeting, into serious Consideration; but, because many of their Members were not yet come to Town, and the Matter is of such Importance, they have deferred. for a Time, to come to a Resolution; but, as soon as possibly they could, they would attend their Lordships with their Answer.'

April 2. This Day the Archbishop of *Canterbury* reported to the House, That, in a Committee appointed to examine the Stores and Ammunitions of War, some Speeches had past, the Day before, which concerned the Honour of a Lord of that House; and that the said Lord desired Examinations might be taken, upon Oath, for the clearing thereof. Whereupon the House ordered, That a Sub-Committee should be constituted to take such Examinations, and the Witnesses to be sworn in Court. The Lords also ordered, That the following Officers of the Crown should be sent for, to be examined on Oath, relating to this Affair, viz. Sir *Edward Wardour*, Clerk of the Pells, Sir *Robert Pye*, Sir *Thomas Munson*, Sir *Thomas Dallison*, Sir *Richard Morrison*, Sir *John Keyes*, Sir *Arthur In-*

The Lord Treasurer's Conduct
asperged.

An. 22. James I. 1624. *Ingram, Sir Thomas Cook, Sir Thomas Morris Clerk of the Ordnance, and Sir John Male.*

April 3. After reading some Bills, the Lords received a Message from the Commons to this Effect, 'That they desired a Conference with their Lordships about a Petition they had drawn up to be presented to his Majesty, touching *Pepish* Recusants, to which they desired the Concurrence of that House.' Hereupon a Committee was appointed, and, being returned, the Petition was read to the whole House; but their Lordships took Time to consider of it, before they would come to any Resolution about it.

The next Day this Business was resumed; and, to the end the Lords might more freely debate the Matter, the House was adjourned *ad Libitum*, the Lord Keeper removing to his due Place, on the Earls Bench: And the Preface to the Petition being again read, the Lords debated, Whether a short Induction was not fitter to be used, that the Reasons for the Petition might be a Part by itself, and not delivered at all, unless his Majesty demanded the same, as was delivered in the Advice to the King, the 5th of *March* last, to dissolve the two Treaties. The other Parts of the Petition being also read, it was debated, Whether any more was requisite to be desired of his Majesty than the Execution of the Laws now in Force against Recusants, lest it should be noised they were beginning a Persecution; but they came to no Resolution about it at this Time, only agreed to defer the further Consideration of it till next Day. The Petition itself, as drawn up by the Commons, follows in these Words:

The Commons
propose a Petition
against Recu-
sants,

May it please your Most Excellent Majesty,
' **W**E your Majesty's most humble and loyal
' Subjects, the Lords and Commons in
' this present Parliament assembled, having, to our
' singular Comfort, received your princely Resolu-
' tion, upon our humble Petition, to dissolve the
' two

two Treaties of the *Match* and of the *Palatinate*; An. 22. James I.
 and having, on our Parts, with all Alacrity and 1624.
 Readiness, humbly offered our Assistance to your
 Majesty to maintain the War which may ensue
 thereupon: Yet, withall, sensibly finding what
 Seditions and traiterous Positions those Incendia-
 ries of *Rome*, and profess'd Engines of *Spain*, the
 Priests and Jesuits, infuse into your natural-born
 Subjects; what Numbers they have seduced, and
 do daily seduce, to make their Dependance on the
 Pope of *Rome* and King of *Spain*, contrary to their
 Allegiance to your Majesty their Leige Lord;
 what daily Resort of Priests and Jesuits into your
 Kingdoms; what Concourse of *Papish* Recusants,
 much more than usual, is now in and about the
 City of *London*; what Boldness, yea, what In-
 solency they have discovered out of the Opinion
 conceived of their foreign Patronage; what pu-
 blic Resort to Masses, and other Exercises of the
Papish Religion, in the Houses of foreign Amba-
 sadors there is daily, to the great Grief and Of-
 fence of your good Subjects; what great Pre-
 parations are made in *Spain*, fit for an Invasion,
 the Bent whereof is as probable to be upon some
 Part of your Majesty's Dominions as upon any
 other Place; what Encouragement that may be
 to your Enemies, and the Enemies of your
 Crown, to have a Party, or but the Opinion of
 a Party, within your Kingdoms, who daily in-
 crease and combine themselves together for that
 Purpose; what disheartening of your good and
 loving Subjects, when they shall see more Cause
 of Fear from their false hearted Countrymen at
 home, than from their profess'd Adversaries a-
 broad; what apparent Dangers, by God's Provi-
 dence and your Majesty's Willdom and Goodness,
 they have very lately escaped, which the longer
 Continuance upon these Treaties, upon such un-
 fitting Conditions, fomented by your own ill-af-
 fected Subjects, would surely have drawn upon
 your Majesty, and your State; do, in all hum-
 bleness,

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1624

bleness, offer unto your Sacred Majesty these
their humble Petitions following:

I. ' That all Jesuits and seminary Priests, and all
' others, having taken Orders by any Authority de-
' rived from the See of *Rome*, may, by your Ma-
' jesty's Proclamation, be commanded forthwith
' to depart out of this Realm, and all other your
' Highness's Dominions; and neither they, nor
' any other, to return or come hither again, upon
' Peril of the severest Penalties of the Laws now
' in force against them; and that all your Maje-
' sty's Subjects may hereby also be admonished not
' to receive, entertain, comfort, or conceal any of
' that viperous Brood, upon Penalties and Forfeit-
' ures, which, by the Laws, may be imposed upon
' them.

II. ' That your Majesty would be pleased to give
' streight and speedy Charge to the Justices of Peace
' in all Parts of this Kingdom, that (according to the
' Laws in that Behalf made, and the Orders taken
' by your Majesty's Privy Council heretofore for
' Policy of State) they do take from all *Popish* Re-
' cusants, legally convicted, or justly suspected, all
' such Armour, Gunpowder, and Munition of a-
' ny Kind, as any of them have either in their
' own Hands, or in the Hands of any other for
' them, and to see the same safely kept and dispo-
' sed according to the Law, leaving for the neces-
' sary Defence of their House and Persons, so
' much as by the Law is prescribed.

III. ' That your Majesty will please to com-
' mand all *Popish* Recusants, and all others, who,
' by any Law or Statute, are prohibited to come
' to the King's Court, forthwith, under Pain of
' your heavy Displeasure, and severe Execution of
' your Laws against them, to retire themselves,
' their Wives, and Families, from or about *London*,
' to their several Dwellings, or Places, by your Laws
' appointed; and there to remain confined within
' five Miles of their Dwelling-Places, according
' to the Laws of this your Realm: And, for that
' Pur-

‘ Purpose, to discharge all bypast Licences granted unto them for their Repair thither; and that they presume not any Time hereafter to repair to *London*, or within ten Miles of *London*, or to the King’s Court, or to the Prince’s Court where-soever.

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IV. ‘ That your Majesty would forbid and restrain the great Resort and Concourse of your own Subjects, for the hearing of Mass, or other Exercises of the *Romish* Religion, to the Houses of foreign Ambassadors, or Agents, residing here, for the Service of their several Princes or States.

V. ‘ That where of late, in several Counties in this Realm, some have been trusted in Places of Lord Lieutenants, Deputy-Lieutenants, Commissioners of Oyer and Terminer, Justices of Peace, and Captains of their Countries, which are either *Papish* Recusants or Non-Communicants, by the Space of a Year last past, or which do not usually resort to the Church to divine Service, and can bring no good Certificate thereof, that your Majesty would be pleased to discharge them from these Places of Trust, by which they have that Power in the Country where they live, as is not fit to be put into the Hands of Persons so affected.

VI. ‘ That your Majesty would be pleased, generally, to put the Laws in due Execution, which are made, and stand in Force against *Papish* Recusants; and that all your Judges, Justices, and Ministers of Justice, to whose Care these Things are committed, may, by your Majesty’s Proclamation, be commanded to do their Duty therein.

VII. ‘ That, seeing we are thus happily delivered from that Danger which these Treaties, now dissolved, and that Use which your ill-affected Subjects made thereof, would certainly have drawn upon us; and cannot but foresee and fear lest the like may hereafter happen, and inevitably bring such Peril to your Majesty’s Kingdoms; we are most humble Suitors to your gracious Majesty, to secure the Hearts of your good Subjects

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An. 22. James I. 1624. ‘ by the Engagement of your Royal Word unto
‘ them, that, upon no Occasion of Marriage or
‘ Treaty, or other Request in that Behalf from any
‘ foreign Prince or State whatsoever, you will
‘ take off or slacken the Execution of your Laws
‘ against *Papish* Recusants.

‘ To which our humble Petitions, proceeding
‘ from our most loyal and dutiful Affections to-
‘ ward your Majesty, our Care of our Country’s
‘ Good, and our confident Persuasion that this will
‘ much advance the Glory of Almighty God, the
‘ everlasting Honour of your Majesty, the Safety
‘ of your Kingdom, and the Encouragement of
‘ all your good Subjects, we do most humbly be-
‘ seech your Majesty to vouchsafe a gracious An-
‘ swer.’

Mr *Rusworth* introduces this Petition, in his *Col-
lections*, with the following Letter from King
James to Secretary *Conway* about it (u).

The King’s Let-
ter on that Occa-
sion.

*I Doubt not but you have heard what a stinging Pe-
tition against the Papists, the Lower House have
sent to the Higher House this Day, that they might
jointly present it unto me. Yet, know, my firm Re-
solution is not to make this a War of Religion; and,
seeing I would be loth to be Cony-catched by my People,
I pray stay the Post that is going to Spain, till I
meet with my Son, who will be here To-morrow Morn-
ing. Do it upon Pretext of some more Letters ye are
to send by him: And, if he should be gone, hasten af-
ter him to stay him upon some such Pretext. And let
none living know of this as you love me. And, before
Two*

(u.) It is Pity this Letter is not dated; because then the Fact of
stopping the Spanish Dispatches, mentioned in it, might have been
fully ascertained by the Authority of the *Journals*. It appears by
these, that the Duke of *Buckingham* had notified to the House of
Lords the King’s Declaration of the Breach with *Spain* to their
Ambassador, and his having sent away the Dispatches to that Court
on the first of *April*, two Days before the Commons had desired
a Conference with the Lords about their Petition. And tho’ Mr
Wilson has dated it the third of *April*, yet neither of these Authors
give us the least Intimation where they had the Copy of a Letter
wrote with so great an Air of Secrecy and Trust.

Two in the Afternoon To-morrow, you shall, without Fail, hear from me. Farewel.

JAMES R.

An. 22. James I.
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When the Lords had heard the above mentioned Petition read a second Time, they dispatched Messengers to the Commons to inform them, That they had taken it into their Consideration, and did hope to be ready by the next Day, to send to them for a Conference.

It now appears who the Noble Lord was whose Conduct was objected to in Yesterday's Proceedings; for, some Orders being made this Day, relating to the Sittings of the Committee on Munitions, Stores, &c. We are told, by the *Journal*, the Lord Treasurer stood up and said, *That he would desire no Favour but Expedition; and, when they had done, his Lordship would shew a dangerous Plot, Conspiracy and Combination against him; which, if it was suffered, no Man would be in Safety in his Place.*

The Lord Treasurer complains of a Plot against him.

April 6. Some public and private Bills being read, the Archbishop of *Canterbury* reported from the Committee, on the Petition against Recusants, &c. That they had modelled another Petition out of the former, which the Commons desired might be presented to his Majesty, with a short Introduction: That their Lordships had thought fit to leave out the whole Preamble of the other, with the Reasons for the said Petition, and only to be delivered if the King should demand it. Agreed to send a Message to the Commons, That the Lords are ready to enter into a Conference with them presently, if it stand with their Convenience. Agreed also to inform the Commons, That this House hath not altered the Substance of the Petition from theirs, but only contracted the same: And altho' their Lordships have left out the Reasons in the Preamble, yet they think fit to have them in Readiness, if his Majesty require any.

But to make an End of this Business, because an Affair of a different Nature is coming on, which will

An. 22. James I. 1624. will require a regular Progression:—The Lords and Commons, after many Conferences about it, at length agreed upon the following Petition instead of the former.

May it please your Mst Excellent Majesty,

The joint Petition of both Houses for Execution of the Laws against Jesuits, &c.

IT having pleased your Majesty, upon our humble Suit and Advice, to dissolve both the Treaties, to our great Joy and Comfort, we your Majesty's most faithful and loyal Subjects, the Lords and Commons assembled in Parliament, do, in all Humbleness, offer to your Sacred Majesty these two Petitions following:

First, That for the more Safety of your Realms, and better keeping of your Subjects in their due Obedience, and other important Reasons of State, your Majesty will be pleased, by some such Course as your Majesty shall think fit, to give present Order, That all the Laws be put in due Execution, that have been made, and do stand in Force against Jesuits and seminary Priests, and all others that have taken Orders by Authority derived from the See of *Rome*, and generally against all *Papish* Recusants; and as for disarming them, that it may be according to the Laws, and according to former Acts and Directions of State in the like Case: And yet, that it may appear to all the World, the Favour and Clemency your Majesty useth towards all your Subjects, of what Condition soever; and to the Intent the Jesuits and Priests, now in the Realm, may not pretend to be surprized, that a speedy and certain Day may be prefix'd by your Majesty's Proclamation, before which Day they shall depart out of your Realm, and all other your Highness's Dominions; and neither they nor any other, to return or come hither again, upon the severest Penalties of the Laws now in Force against them; and that all your Majesty's Subjects may be thereby also admonished not to receive, entertain, comfort, or conceal any of them, upon

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the Penalties and Forfeitures which, by the Laws, An. 22. James A.
1624. may be imposed upon them.

Secondly, Seeing we are thus happily delivered from that Danger, which these Treaties, now dissolved, and that Use which your ill-affected Subjects made thereof, would certainly have drawn upon us; and yet cannot but foresee and fear least the like may hereafter happen, which will inevitably bring such Perils into your Majesty's Kingdoms, we are most humble Suitors to your gracious Majesty, to secure the Hearts of your good Subjects, by the Engagement of your Royal Word unto them, That, upon no Occasion of Marriage, or Treaty, or other Requisite in that Behalf, from any foreign Prince or State whatsoever, you will take away or slacken the Execution of your Laws against Jesuits, Priests, and *Papists* Recusants. To which our humble Petitions, proceeding from our most loyal and dutiful Affections towards your Majesty, our Care of our Country's Good, and our own confident Persuasion that these will much advance the Glory of Almighty God, the everlasting Honour of your Majesty, the Safety of your Kingdoms, and the Encouragement of all your good Subjects, we do most humbly beseech your Majesty to vouchsafe a gracious Answer.

This second Petition was presented to the King by a Committee of both Houses, on the 23d of April; and, the next Day, the Lord Archbishop of Canterbury reported it to the House of Lords; and that, after his Majesty had heard the same read, he gave them the following most gracious Answer to it.

My Lords and Gentlemen,

*Although I cannot but commend your Zeal in offer- The King's An-
ing this Petition to me; yet, on the other Side, swer.
I cannot but hold myself unfortunate, that I should be
thought to need a Spur to do that which my Conscience
and Duty binds me unto. What Religion I am of
my Books do declare, my Profession and Behaviour.*

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I

doth

An. 22. James I. 1624. *doth shew; and, I hope in God, I shall never live to be thought otherwise; sure I am I shall never deserve it: And, for my Part, I wish it may be written in Marble, and remain to Posterity as a Mark upon me, when I shall swerve from my Religion; for he that doth dissemble with God is not to be trusted of Men.*

My Lords, for my Part, I protest before God, that my Heart hath bled when I have heard of the Increase of Popery: God is my Judge, it hath been such a great Grief to me, That it hath been as Thorns in my Eyes, and Pricks in my Sides; and so far I have been, and shall be from turning any other Way. And, my Lords and Gentlemen, you shall be my Confessors, that if I knew one Way better than another to hinder the Growth of Popery, I would take it; for, knowing what I do, and being persuaded what I am, I could not be an honest Man and do otherwise (). And this I may say further, That if I be not a Martyr, I am sure I am a Confessor: And, in some Sense, I may be called a Martyr, as, in Scripture, Isaac was persecuted by Ishmael by mocking Words; for never King suffered more by ill Tongues than I have done, and, I am sure, for no Cause; yet I have been far from Persecution, for I have ever thought that no Way more encreased any Religion than Persecution, according to that Saying, Sanguis Martyrum est Semen Ecclesiæ.*

Now, my Lords and Gentlemen, for your Petition, I will not only grant the Substance of what you crave, but add somewhat more of my own; for the two Treaties being already annulled, (as I have declared them to be) it necessarily follows of itself that which you desire; and therefore it needs no more, but that I do declare, by Proclamation, (which I am ready to do) that all Jesuits and Priests do depart by a Day; but it cannot be, as you desire, by our Proclamation, to be out of all my Dominions; for a Proclamation here extends but to this Kingdom.

This

(*) In Rushworth it runs thus: *One Way or other it hath been my Desire to hinder the Growth of Popery; and I could not be an honest Man if I should have done otherwise.*

This I will do, and more; I will command all my Judges, when they go their Circuits, to keep the same Courses, for putting all the Laws in Execution against Recusants, as they were wont to do before these Treaties; for the Laws are still in Force and were never dispensed with by me: God is my Judge, they were never so intended by me; but, as I told you in the Beginning of the Parliament, you must give me Leave, as a good Horseman, sometimes to use the Reins, and not always to use the Spurs: So now there needs nothing but my Declaration; and, for the disarming of them, that is already [provided for] by the Laws, and shall be done as you desired: And more, I will take Order for the shameful Disorder of the resorting of my Subjects to all foreign Ambassadors; for this I will advise with my Council how it may be best reformed: It is true that the Houses of Ambassadors are privileged Places; and tho' they cannot take them out of their Houses, yet the Lord Mayor and Mr Recorder of London may take some of them as they come from thence, and make them Examples. Another Point I will add concerning the Education of their Children; of which I have had a principal Care, as my Lord of Canterbury, and the Bishop of Winchester, and other Lords of my Council, [and, indeed, all my Council] can bear me witness, with whom I have advised about this Business; for, in good Faith, it is a Shame their Children should be bred here, as if they were [brought up in Madrid or] at Rome: So I do grant not only your Desire, but more. I am sorry I was not the first Mover of it to you; but had you not done it, I would have done it myself.

Now, for the second Part of your Petition, you have here given me the best Advice in the World; for it is against the Rule of Wisdom that a King should suffer any of his Subjects to be holding and depending on any other Prince than himself; for what hath any King to do with the Laws and Subjects of another Kingdom (y)? Therefore assure yourselves,

I 2

(y) In Russworth it is: Transgress the Laws by the Inter-
vention of Princes.

An. 22. James I.
1624.

Selves, that, by the Grace of God, I will be careful that no such Conditions be foisted in upon any other Treaty whatsoever; for it is fit my Subjects should stand or fall by their own Laws.

Proceedings against the Earl of Mordaunt, Lord High Treasurer.

April 8. We now begin with an Affair of a very extraordinary Nature, wherein one of the principal Officers of the Crown was charged with very high Crimes and Misdemeanors; which Instance, with some foregoing, evidently shews, That no Man was then so great in himself, or so powerfully screened by the Court, but a Parliamentary Enquiry would reach him. We shall make no Apology for the Length of this Trial, since the Rarity of it, and extraordinary Incidents in the Proceedings therein, must recommend it to the Public; especially as neither *Wilson* nor *Rushworth* have given us one single Word of this Matter, nor any other Historian, excepting Sir *William Dugdale*, by a slight Note upon it in his *Baronage of England*.

The first Notice, the Lords received from the Commons, of this Business, was on the 8th of *April*, when they received a Message from them to this Effect;

‘That whereas they, Yesterday, sent to desire a Conference with them, for the better accommodating the Bill of Monopolies, to be this Morning at nine, which their House intended to have done accordingly; but, that now a great and weighty Affair, as ever yet came before them, intervening; and many of their Committee being employed in the Examination and Enquiry thereof, who were formerly appointed to attend their Lordships at this Conference; they humbly desire to be spared at this Time, and they will attend at any other which their Lordships shall appoint.’

April 9. The House of Lords being reminded of the Words used by the Lord Treasurer, *April 5. of a dangerous Plot, Conspiracy, and Combination against him*; and because the Words were doubtful and generally spoken, his Lordship was required to name the Parties that had so combined and conspired

spired against him ; for, otherwise, an Imputation might rest upon that House, or some of the Members, there being, at that Time, a Committee on Munitions, &c. subsisting, who had taken divers Examinations concerning his Lordship as Lord Treasurer.

An. 22. James I.
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Whereupon his Lordship stood up and cleared the House, absolutely, from any Combination at all against him ; and he further protested, at that Time, that he did not name or mean any Member of that House ; which Protestation he reiterated to them.

Nothing more occurs of this Matter till April the 12th ; when a Message came from the Commons to the Lords in order to put off the intended Conference again ; because they said, That a Lord of that House had desired to be heard, by his Counsel, in theirs, in the Afternoon ; which they had yielded to.

On this a Motion was made to consider, that it might trench deep into their Privileges, for a Lord of that House to answer an Accusation in the House of Commons, either by his Counsel, or by sending his Answer in Writing. But, upon the humble Request of the Lord Treasurer, the House gave him Leave to send his Answer to the Complaint of the Commons if he pleased. However, an Order was made, *That no Lord of that House shall, hereafter, without Licence, answer any Complaint in the House of Commons, either in Person or by his Counsel.*

Then the Archbishop of *Canterbury* reported to the House, That a Committee being appointed to consider of the Stores, Munitions, &c. somewhat had happened in their Examination thereof, which touched the Honour of the Lord Treasurer. Whereupon the said Lord desired, that the utmost Truth thereof might be enquired into and examined. Accordingly Witnesses had been sworn here, and a Sub-Committee appointed to take their Examinations ; which, being reduced into Writing, his Grace delivered to be read.

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 Commons, of this Business, was on the 8th of *April*,
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‘That whereas they, Yesterday, sent to desire a
 Conference with them, for the better accommo-
 dating the Bill of Monopolies, to be this Morning
 at nine, which their House intended to have done
 accordingly; but, that now a great and weighty
 Affair, as ever yet came before them, intervening;
 and many of their Committee being employed in
 the Examination and Enquiry thereof, who were
 formerly appointed to attend their Lordships at this
 Conference; they humbly desire to be spared at
 this Time, and they will attend at any other which
 their Lordships shall appoint.’

April 9. The House of Lords being reminded of
 the Words used by the Lord Treasurer, *April 5.*
of a dangerous Plot, Conspiracy, and Combination a-
gainst him; and because the Words were doubtful
 and generally spoken, his Lordship was required to
 name the Parties that had so combined and con-
 spired

spired against him; for, otherwise, an Imputation might rest upon that House, or some of the Members, there being, at that Time, a Committee on Munitions, &c. subsisting, who had taken divers Examinations concerning his Lordship as Lord Treasurer.

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Whereupon his Lordship stood up and cleared the House, absolutely, from any Combination at all against him; and he further protested, at that Time, that he did not name or mean any Member of that House; which Protestation he reiterated to them.

Nothing more occurs of this Matter till April the 12th; when a Message came from the Commons to the Lords in order to put off the intended Conference again; because they said, That a Lord of that House had desired to be heard, by his Counsel, in theirs, in the Afternoon; which they had yielded to.

On this a Motion was made to consider, that it might trench deep into their Privileges, for a Lord of that House to answer an Accusation in the House of Commons, either by his Counsel, or by sending his Answer in Writing. But, upon the humble Request of the Lord Treasurer, the House gave him Leave to send his Answer to the Complaint of the Commons if he pleased. However, an Order was made, *That no Lord of that House shall, hereafter, without Licence, answer any Complaint in the House of Commons, either in Person or by his Counsel.*

Then the Archbishop of *Canterbury* reported to the House, That a Committee being appointed to consider of the Stores, Munitions, &c. somewhat had happened in their Examination thereof, which touched the Honour of the Lord Treasurer. Whereupon the said Lord desired, that the utmost Truth thereof might be enquired into and examined. Accordingly Witnesses had been sworn here, and a Sub-Committee appointed to take their Examinations; which, being reduced into Writing, his Grace delivered to be read.

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selves, that, by the Grace of God, I will be careful that no such Conditions be foisted in upon any other Treaty whatsoever; for it is fit my Subjects should stand or fall by their own Laws.

Proceedings against the Earl of Muddesex, Lord High Treasurer.

April 8. We now begin with an Affair of a very extraordinary Nature, wherein one of the principal Officers of the Crown was charged with very high Crimes and Misdemeanors; which Instance, with some foregoing, evidently shews, That no Man was then so great in himself, or so powerfully screened by the Court, but a Parliamentary Enquiry would reach him. We shall make no Apology for the Length of this Trial, since the Rarity of it, and extraordinary Incidents in the Proceedings therein, must recommend it to the Public; especially as neither *Wilson* nor *Rushworth* have given us one single Word of this Matter, nor any other Historian, excepting Sir *William Dugdale*, by a slight Note upon it in his *Baronage of England*.

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But, before that was done, the Lord Keeper signified to the House, that he had received a Petition from Sir *Thomas Dallison*, delivered unto him by a Member of this House, who desired it might be read before the said Report. Which Petition ran in these Words:

To the Right Honourable the Lords Spiritual and Temporal in Parliament assembled.

The Humble Petition of Sir *Thomas Dallison*, Son of Sir *Roger Dallison*, Knt. and Bart. deceas'd.

*W*Hereas there was an Examination, before a Committee of your Honours, concerning the Lands of his said Father, compounded for with my Lord-Treasurer; whereupon there is an Account given to your Lordships, by one Mayle, a Scrivener, on his Lordship's Behalf, of 26,000 l. or thereabouts, to be given by the said Lord-Treasurer for the said Lands, as Mayle reported.

Now, for that this Petitioner and his Mother were forced out of their Estate therein by his Lordship for a very small Matter, by colour of his Majesty's Extent; and is able to make appear to your Lordships that there hath not been much more than half the Sum of 26,000 l. really, either in Money or Money's Worth, given for the same by his Lordship; and for that the said Lands are of far greater Value; and this Petitioner ought, in all Equity, to have the Benefit of compounding his Father's Debts, and the Benefit that should accrue by the Surplusage of the Estate:

He most humbly desireth your Honours to stay the Report, and grant your Petitioner a Copy of the Account before the same pass from the Lords of the Committee; and that your Petitioner may be allowed to make such just Exceptions thereunto, as to the honourable Lords of the Committee shall seem reasonable. And he shall ever pray for your Honours, &c.

THOMAS DALLISON.

A Motion was made, Whether, by the Orders An. 22. James I. 1624 of the House, the Lord-Treasurer may be present when the *Report* is read; because the same concerns his Honour? It was agreed, That he might be present, at the first Reading, but not when the same shall be debated by the House.

Then the Attorney-General read the Report *in hæc Verba* :

The STATE of the BUSINESS referred to the SUB-COMMITTEE for MUNITIONS, &c.

ON the 28th of *May*, 6 *Jac.* 1608. a Privy-Seal was directed to the Lord Treasurer and Under-Treasurer of the Exchequer, for the Time being, for the issuing out such Sums of Money not exceeding 6000 l. *per Annum*, as by Quarter-Books should appear to be due to the Office of Ordnance, for Wages or Provisions.

‘The Allowance was duely paid untill the 1st of *April* 1614; but then, or shortly after, by the Default of Sir *Roger Dallison* and the Officers of the Exchequer, sundry Payments were unorderly made, whereby the Office was unfurnished; and *Dallison*, who had receiv’d those Moneys and not employ’d them as he ought, became indebted in great Arrears to his Majesty.’

‘Upon Complaint whereof, in *November* 1617, his Majesty made a Reference to divers Lords of the Council; who, in *December* 1617, return’d under their Hands a Proposition of Supply, estimated at 54,078 l. 8s. and 8d.’

‘In *February* 1619, his Majesty’s Commission was awarded to the Commissioners for the Navy, whereof the now Lord-Treasurer was one of the chief, to survey the Office of Ordnance: And they, in *July* 1620, made a Return hereof to the Council, with their Opinions how the Magazines might be furnished with a present Supply of 13,640 l. 14s. and 2d. how the ordinary Allowance of 6000 l. *per Annum*, might be reduced to 3000 l. and how, by cutting off many unnecessary Charges, and other

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An. 22. James I. other Means, his Majesty might have yearly near
1624. 10,000 l. And those Propositions made by them,
in *Michaelmas* Term 1620, receiv'd Allowance
from the Lords, and, at last, from his Majesty
himself.

' In *December* 1620, the Lord Viscount *Mandeville* became Treasurer; and, in *May* 1621, a Privy-Seal was drawn by the Officers of the Ordnance, for settling the said 3000 l. yearly, and for Payment of the said 13,640 l. 14 s. and 2 d. But the same, being consider'd of by the Commissioners of the Navy, was rejected, because it swerved from their Propositions; and so, the Lord *Mandeville* leaving the Treasurership about *Michaelmas* 1621, nothing was done. In *October* 1621, the Earl of *Middlesex* became Lord-Treasurer, and having continued in that Place two Years and six Months, in all that Time none of the three Establishments, viz. that of 6^o *Jacobi* by the dormant Privy-Seal; that of 1617 by the Lords; nor that of the Commissioners of the Navy in 1620, have been observ'd; whereas, if that of the Commissioners of the Navy (being the least chargeable to his Majesty, and in which the Lord-Treasurer himself was principal Agent,) had been observ'd, it is conceiv'd that the Stores had been in much better Case, and a Course had therein been settled to have retrench'd a needless Charge of near 10,000 l. *per Annum*, as aforesaid.

' And whereas, in *April* 1621, a Contract was made with Mr. *Evelyn*, to serve his Majesty yearly with 80 Lasts of Powder, at 7 d. *per* Pound: The Want of the Payment of about 500 l. a Month, hath depriv'd his Majesty of the Benefit of that Contract; which, for twelve Months of the Time since that Contract, hath been forborn for Want of Payment; which twenty Months Proportion, if it had been serv'd in, there would have been in Store at this present above 260 Lasts of Powder, besides 60 L. of Salt-Petre, which would have made 80 Lasts of Powder more: But, by the Want
of

of due Payment, not only the Store is unfurnish'd An. 22. James I.
1624. of so considerable a Proportion ; but his Majesty, it is conceived further, hath lost the Benefit of 3 d. in every Pound of 80 Lasts, which hath been sold to the Subject, amounting to 4050 l. or thereabouts.

And whereas it was intimated, that the Lord Treasurer hath made other Payments, less importing the Public, to the said Office of Ordnance for old Arrears ; which have a Dependency upon another Point referr'd to the Sub-Committees, touching the Lands and Debts of Sir *Roger Dallison* : It appears that 28 *July* 1621, which was about two Months before the Earl of *Middlesex* became Treasurer, he made an Agreement with the Officers of the Ordnance for buying their Extent and Interest in the Lands of Sir *Roger Dallison* and Sir *Thomas Mounson*, which they had by Assignment from his Majesty, for a Debt of 13,062 l. and thereby his Lordship did agree, so soon as conveniently he might, to do his best Endeavour to procure from his Majesty a certain Assignment and Order for the Payment of the Sum of 8000 l. to the Use of the Servants and Creditors of the Office of Ordnance, before the last Day of *November* next, for and towards the Payment and Clearing of all such Sums of Money, as, by the Pay-Books of the said Office, should appear to be due unto them, over and above the said Sum of 13,062 l. And his Lordship was, before the same last of *November*, to pay them 1062 l. and, at the Annunciation, in the Year 1623, 500 l. and afterwards, 500 l. half-yearly, till the 13,062 l. were paid : But his Lordship, before the prefix'd last of *November*, becoming Lord Treasurer, did not procure any such Order or Assignment from his Majesty ; but, by Warrant of the first-mentioned dormant Privy-Seal of 6^o *January*, did, in the first *Michaelmas* Term after he became Treasurer, and the two Terms of *Easter* and *Michaelmas* following, (being all within a little more than a Year after his becoming Treasurer) pay to them 9131 l. of Arrears due to the Office ;
and

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An. 22. James I. and hath, at other Times since, paid to them other
 1624. Sums; which make up the former Payment of
 19,034 l. 8 s. 11 d. whereof was paid since the
 Beginning of this Parliament 2480 l. 11 s. 2 d.
 And touching the Payment, which, by the afore-
 said Agreement, his Lordship was to make unto
 them of his own Money, it appeareth that, upon
 a second Payment, those Payments due from him
 were discharged; and, in lieu thereof, his Lordship
 assign'd to them his Part in the Petty-Farms of the
 Wines and Currants; which they estimated to be
 worth for the first two Years 1000 l. *per Annum*,
 and for seven Years after 1400 l. *per Annum*, and
 odd Pounds. It also appeareth, that about the same
 Time when he made the said Agreement with the
 Officers, he bargained with Sir *Thomas Mounson* for
 his Estate in *Dallison's* Lands; for which he agreed
 to give him 3000 l. in Money, the making of six
 Baronets, and some fit Suit from his Majesty when
 Sir *Thomas* could find it. This 3000 l. was duly
 paid by his Lordship; and then it was agreed that
 the Baronets were not to proceed, but, in lieu
 thereof, his Lordship gave way to a Suit, which
 Sir *Thomas* made to his Majesty, for the Benefit of
 compounding with the Copy-holders of *Wakefield*,
 for reducing their Fines to a Certainty; which his
 Lordship did estimate at 2000 l. and promised him
 further Recompence; yet Sir *Thomas Mounson* af-
 firms, He had neither Benefit thereby, nor further
 Recompence. In this Bargain, nevertheless, there
 are some Things favourable for the Lord-Treasu-
 rer, especially two. *First*, That, by this Bargain,
 his Majesty is freed from all future Demands from
 the Officers of the Ordnance, concerning the Debt
 of 13,062 l. owing by *Dallison*; which his Maje-
 sty, upon the assigning those Extents, had cove-
 nanted to satisfy, in case the Incumbrances should
 hinder them of Satisfaction; and this appeareth to
 be true. *Secondly*, Some Intimation hath been,
 that this Bargain was no Bargain of Advantage,
 but of Loss to the Lord-Treasurer; and there-
 fore

fore not probable that he should have undertaken, An. 22. James I. 1624. but for his Majesty's Service, and the Good of the Office. And touching this Point, it appears, by the good Testimony of Sir *Thomas Dallison*, that, before the Troubles of his Father, the Lands and Leases being of about sixty Years to come, bought by the Lord-Treasurer, were rented at 1500 l. *per Annum*, or thereabouts; whereof the Lease-Lands are about 300 l. *per Annum*: And that, besides the Recompence given to the Officers of Ordnance and Sir *Thomas Mounson*, there is allow'd to him and his Mother, for clearing their Interests, 200 l. *per Annum* for their Lives: But Sir *Arthur Ingram* offereth to lett the whole, for forty or fifty Years, or any other reasonable Time, at 1100 l. *per Annum*. And it appears, by the Testimony of him and Mr. *Mayle*, that the Lands were incumbred with an Annuity of 200 l. *per Annum* to Mr. *Beddingfield* for Life; for which, and the Arrears, about 1200 l. hath been given, by way of Computation; and with 140 l. to Mr. *Smith* for Life, for which, and the Arrears, hath been given, by way of Composition, about the Value of 800 l. and with an Assurance, on the Part of Sir *Richard Smith* and Sir *John Davy*, for which is to be given 3000 l. besides many other Incumbrances not yet brought in. But the Certainty thereof appears not, nor that any of them, of any considerable Value, are precedent to Sir *Roger Dallison's* becoming Officer.

This Report being read, the Lord Treasurer put the House in mind of the Imputation laid on him by Sir *Robert Pye*, some Time since, touching the Extent of Sir *Roger Dallison's* Lands; and that therein they had desired Witnesses to be sworn and examined, and he hoped he had fully satisfied their Lordships in that Cause. But, as for any other Matter relating to the Ordnance, Munitions, &c. they never came into his Thoughts, as yet, what Answer to make; wherefore he desired he might have a Copy thereof, in Writing, with Liberty to examine his Wit-

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Witnesses, and he would answer the same fully in Writing. He also desired that his Actions might not be examined by Pieces, but totally and together; and then he doubted not but that his Care, touching the Store for Munitions, &c. would appear to be such that their Lordships will clear his Honour therein. This being said, the Lord Treasurer left the House whilst the Matter of the Report was in Debate.

After some Time spent therein, it was agreed, That another Committee should be appointed to draw up the Heads of a Charge against the Lord Treasurer, out of a Brief of the last Report, and Examinations taken by the former Committee.

Nothing was done by the Lords (except reading and passing several Bills, of no Consequence to these Enquiries) untill the 15th; when a Message was brought from the House of Commons by the Lord Cavendish, and others, to this Effect;

‘That whereas they had received divers and fundry Complaints against a Member of that House, which are of high and grievous Nature, they desire a Conference thereon to impart the same to their Lordships.’ This was agreed to by the Lords; the Place, the Great Hall at *Whitehall*; and the Time, at Three that Afternoon.

April 16. The Lord Keeper, according to Order, reported the said Conference held the Day before at *Whitehall*, between the two Houses, in this Manner;

Report of a Conference between both Houses on a Complaint against the Lord Treasurer.

At this Conference Sir *Edward Coke*, on the Behalf of the Commons, shewed, ‘That the Knights, Citizens and Burgessees, assembled in Parliament, are always elected, the Knights by the Counties, the Citizens by the Cities, and the Burgessees by the Burroughs of this Kingdom: That your Highness and my Lords do enjoy their Places by Blood and Descent; some of your Lordships by Creation, and the Lords Ecclesiastical by Succession; but the Members of the House of Commons by free Election: They appear for Multitudes, and bind Multitudes, and therefore they have no Proxies;

Proxies; for all the People are present in Parliament by Persons representative; and therefore, by the Wisdom of the State, and by Parliament Orders, the Commons are appointed the Inquisitors General of the Grievances of the Kingdom; and that for three Causes.

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‘ 1. Because they have best Notice from all Parts thereof.’

‘ 2. They are most sensible it is not your Lordships, but the weakest Commons that go to the Walls.’

‘ 3. As, in a natural Body, not the Disease, but the Neglect of Cure killeth; *Non Morbus sed Morbi neglecta Curatio interfecit*; so the long Delay of Grievances, *Corpus Politicum interfecit*; and this would happen if they were not found out by the Commons.’

‘ In their Inquisition they met with, what they scarce ever found before, many great Exorbitancies and heinous Offences, against a Member of this House, the Earl of *Middlesex*, the Lord Treasurer; and they found him guilty after a strange Manner; for, in all their House, not one Man said *No*, but concluded against him *Nemine contradicente*.’

That Sir *Edward Coke* said further, ‘ The House had appointed him to present three Enormities to their Lordships, much against his Mind; others being far more sufficient, as well in regard of his great Years, as of other Accidents; yet, he said, he would do it truly, plainly and shortly.’

‘ There were two great Offences in general, which they had distributed into two Parts; one of which should be represented by him, and the other by his Colleague. That which he should speak to was to consist of two Charges.’

‘ The *first*, Gross and sordid Bribery. The *second*, For procuring the good Orders of the Court of Wards to be altered: For that this was done by his principal Procurement, to the Deceit of the King, Oppression of the Subject, and the Enriching of his own Servants. He would begin with presenting to their Lordships the Bribery. Here
he

An. 22. James I. 1624. he craved Favour if he should seem long in touching some Circumstances; for Circumstances to Things, he said, were like Shadows to Pictures, to set them out in fuller Representations; but herein he promised to observe *Seriem Temporis*.

The first Part of the Charge against him open'd by Sir Edward Coke.

BY the Lord Treasurer's Privy (for it concern'd his Skill properly which was Merchandize) a Lease of the Subsidy and Imposts of the French Wines, was lett to the Farmers of the Petty Farm, Anno 17. Jac. at 44,000 l. yearly Rent, and for 50,000 l. Fine; with a Covenant from the King, that no more Impost should be laid during their Lease; because that they knew that the Impost would overthrow their Trade.

'Yet the Farmers were not content with this Covenant for their Money and their Trade, (for Money is their Plow, and Trade their Life) they desire the Addition of the King's Word for this Covenant. Accordingly they had Access to the King, and the Covenant was confirmed and repeated by him, *Verbo Regio*, in the Presence of the Lord Treasurer. Then they thought themselves in *Tuto*, and that they did in *Portu navigare*, free from all Storms and Tempests.'

'But behold, Anno 1621, the first Thing my Lord did in his Office, was the laying of an extream Impost of 3 l. per Ton upon the French Wines, which the King, by reason of his Covenant, could not, and, by reason of his Word, would not surely do.'

'This Imposition was against Justice, the Covenant, and the Honour of the King. The King, surely, had he been rightly inform'd, would never have done it.'

'Upon this the Trade sank, and they became Suitors to his Lordship for Relief, for ten Months together; but with no Success.'

'In *Michaelmas*, 1622, they petitioned his Lordship, that the Trade was overburdened, and themselves quite undone. It is a Rule, that a Commodity overburdened enricheth not the King, but quite

quite destroyeth the Trade; but hereof they have An. 22. James I.
no Success. 1624.

‘ Then they prefer a Bill of Right against the King in the Exchequer, because of the Breach of Covenant: But to this they could obtain no Answer in *Michaelmas* Term. The King’s Attorney knew well enough of the Bill, but could not for his Heart devise an Answer for it.’

‘ In *December* 22, 1622, the Term is out, they are out of their Money, and the Trade is gone. They appeal, therefore, to the Fountain of Justice, the King’s Majesty. The King is very gracious to them, and said, *God forbid that any Man should lose by him. He knew nothing of this. It was the Lord Treasurer’s Act and Device.* And so his Majesty allowed them a Deduction of 9500 l. to be made to them in nine Years Time. Well, *Verba sunt hæc*; these were but good and gracious Words, but filled not their Purses: They must have a Warrant from the Lord Treasurer to put this Favour of the King’s into a public Act; and this they could not obtain from *December* to the End of *June*. The Men understand themselves very well, and look about them how this Stay comes: One of them tells another, The Business sticks, my Lord looks for somewhat: And the Man was in the right, for so the Sequel proved.’

‘ Five hundred Pounds Bribe was paid to *Jacob* for my Lord’s Use, and straightway all was well; the Warrant went current, and all was passing well.’

‘ One Thing remarkable: This was taken out of the Petty Farms, set down in their monthly and yearly Books, and call’d a Gratuity *speciosaque Nomina Culpæ*. Some great Space after this, there was a Voice of a Parliament (Oh! said Sir *Edward*, Parliaments work wonderful Things). Then the Lord Treasurer began to cast a Circle, and fall to his conjuring. He calls upon *Jacob*, and commands him to transfer it to the Great Farm. Here was observed, That *Suppressio Veri* is, in Law, an Argument of Guilt.’

‘ Here

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‘ Here Sir *Edward* also observed, (in a Parenthesis) That it is a blessed Thing of those that love Parliaments; and that surely this Lord, of all others, loved them not; because he cast himself into dark Mists, when he should meet them; *Nescio quid Peccati portat ista Purgatio.* This argues much Guiltiness.’

‘ Then he nominated his Witnesses; which, he said, were without Exception.’

‘ This Bribe is proved by *Hide*, *Daws*, *Bishop*, and by *Abraham Jacob*: The last is a Witness with a Witness.’

‘ For *Jacob* blanch’d his Bribe as well as he could, and was taken in three notorious Falsities.’

1. ‘ Being charged, that the Money was delivered to him by *Hide*, he vowed he had never received it; yet, being confronted with *Hide*, he confess’d it:—There was one.’

2. ‘ He pretended he had received the Money, but gave his Bond for it. *Hide* affirming to his Face, the Bond was for other Money, and no Bond at all for this; then he likewise confessed this:—There were two.’

3. ‘ He said he never had any Warrant to enter the same in the Petty Farm; yet, afterwards, he avowed he had:—And this is the third Falsity.’

‘ Here Sir *Edward* observed, That *Jacob* was my Lord’s necessary Creature and petty Chapman, and had a Son that was his Secretary; and, because he was a *Jacob*, that is, a Supplanter, he desired their Lordships to take good care of him.’

‘ About the Beginning of this Parliament my Lord sent for this *Jacob*; ask’d him, If he had enter’d this Money in the Petty Farm? he said, Yea. Then said my Lord, Go about it presently, and see that the Cocquets, and all Things else, be suppress’d in the Petty Farms, and that this Money be removed to the Great Farm; for I would have all hid and suppress’d. Here Sir *Edward* observed, That sordid Bribery is like *Adam*, and would fain get some Fig-Leaves, if it could tell but where to gather them.’

‘ Upon

* Upon the Delivery of this Charge (as was de-
An. 22. James I.
fired by his Friends) to the Lord Treasurer, they
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of the House of Commons expected an Answer of
some rare Wit; for so this Nobleman was reputed
in that House: But his Lordship deceived their Ex-
pectation; for he declared it was utterly, in every
Point, he would not say false, but surely untrue.

* Four Things he denied as he was a *Christian*;
and these were all directly proved and made good
against him.

* And so much was delivered against the first
Bribe. The second Bribe was of a strange Strain:
And both these Bribes were received by him in the
Quality of a Treasurer.

* The Farmers of the Great Customs were to
renew their Farms, and put in Security of 48,000 l.
Rent, July 29, 1622.

* Here Sir *Edward* said he would not enlarge
himself; for the Business lay in a narrow Room.
The Bribe is the Point.

* My Lord liked the Sureties well; but some of
them fell off, and my Lord would not accept of
the rest; and 7500 l. of the Rent was reserved for
a Year and a Quarter. After Delay of their Lease,
and 500 l. in Gold paid unto him by the Hands of
Jacob, then the Security formerly rejected was now
accepted: Which Act of his Lordship the Knight
confuted by this Syllogism.

* The Sureties were sufficient, or insufficient; if
sufficient, the Bribe was too much, and the Farmers
oppressed; if insufficient, the Bribe was too little,
and the King was cozen'd.

* The second Bribe was proved by *Wolstenholme*,
Garraway, *Williams*, and, if you please, *Abraham*
Jacob; and so much of these two Bribes taken in
the Capacity of a Treasurer.

* Now he comes to the Court of Wards, and
shewed, That the Lord Treasurer's Offences here-
in are of a rare Strain. First, the Knight noted, by
way of Preface, That *Honors*, the Honour, must
be given to him that deserved it. All the good
Yob; VI. K Artifice

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Artifice began under Treasurer *Salisbury*. Then were Articles invented that helped the King to all his Revenues, and tied the Officers to their own Fees and Places. The King's Revenues prospered well then: And these Articles, by the Advice of the Judges, were confirm'd under the Great Seal.

'When this last Lord came to be Master of that Court, (for now, saith the Knight, he is not charged as a Lord, but a Master) he complained he had not Elbow-Room for those Articles; he was too much bound by them; (and bound he was indeed) and therefore he projects new Articles: And these new Articles are charged with high Extortion; for in them are raised double Fees: One Fee the Surveyor formerly had, and still retains justly, another paralel Fee to this my Lord hath raised unjustly and oppressingly.'

'For Extortion is a grievous and consuming Enormity in a Common-Wealth. It was the greatest Evil the High God could foresee would befall the Enemies of God. *Let the Extortioner consume what he hath, and the Stranger devour his Labour, Psalm cix. v. 10.*

'In these Articles his Lordship created a new Officer, a Secretary. The chief Proceedings there go by way of Petition. In the former Articles these Petitions were received by the Court, and entered by the Clerk without any Fee, and so were to be found on Record: But, in the new Articles, this new Officer is to receive these Petitions, and may, for any Rule to the contrary, suppress them; and, for his Fee, he taketh what he pleaseth; and it is prov'd he hath taken 10 l. 20 l. 4 l. 5 l. three Dishes of Silver, and the like: He is altogether unlimited, unless, peradventure, his Oath doth limit him.'

'Another Charge in this Court is this Abuse, *viz.* The Lord Treasurer's Place requires a whole Man, and so doth the Mastership of the Court of Wards; whereupon his Lordship was fain (as unable to wield those two great Places) to invent a new Device, a Stamp even with his own Name, *Middlesex*: Now
this

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You shall truly counsel the King.

He did not so, witnesses the Articles of Oppression.

You shall do Right to all Men.

Impossible he should do so, with his Stamp and these Articles.

2. The second Oath, as Chancellor. *You shall honestly, (a good old Word) justly, and truly counsel the King.*

Not so, in this Imposition, which came alone out of his Quiver; and was advis'd against the King's Covenant, and the King's Word.

3. The third Oath, as Treasurer. *You shall well and truly serve the King and People.*

He doth not so that denies or delays the Subject; for every Delay is a Denial.

An old Canon of the Law is,
*Nulli vendemus, nulli negabimus, nulli differemus
Justitiam.*

You shall truly counsel the King in all Things.

Judge, your Lordships, whether this Lord did so, that gave him Counsel to break his Word.

'Sir Edward Coke (a) (this learned Knight) said, That all this he spake by Command; and so he prayed their Lordships to weigh it well, with due Consideration, and to give Judgment according to the Demerits of the Cause.'

Sir Edwin Sandys (b) proceeded to this Effect, *viz.*

And seconded by
Sir Edwin Sandys.

'The Knights, Citizens and Burgeses in the Lower House of Parliament assembled, had commanded him (undesirous of any such Employment) to second this Charge to their Lordships: That he was undesirous thereof, for he had rather defend the Innocent than discover the Culpable; yet he was the Son of Obedience, and must perform what, by that House, he had received in Command.

'To decypher out this great Lord, upon whom the

(a b) It is remarkable that these two Gentlemen, appointed to this Charge against the Lord-Treasurer, distinguish'd themselves greatly, in their Opposition to the Court in the last Parliament. See Vol. V. p. 525, 6.

the Charge lay, he would give of him this Character to your Lordships.' An. 22. James I.
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*Nescia Mens Hominum est, Fatigue ignara futuri,
Et servare Modum Rebus sublata secundis.*

'The Want of Measure and Moderation most Men complain of in this great Personage.'

'That he would make his Entrance with two Protestations; which (as you know) are Exclusions, not intended Conclusions.'

'His first Protestation, That in this Crimination against new Impositions, and Impositions upon Impositions.---The House of Commons intended not to question the Power of Imposing claim'd by the King's Prerogative. This they touch not upon now; they continue only their Claim, and when they shall have Occasion to dispute it, they will do it with all due Regard to his Majesty, Statute, and Revenue.'

'For this Time, he desired the Word *Imposition* might be forborn, and the Word *Oppression* taken up in lieu thereof; yet with a Reference to the Lord Treasurer only, but in no Means to the King.'

'The second Protestation, That they intend to lay none, no not the least Aspersion upon the Council-Table, or any one Member thereof, the Lord Treasurer only excepted.'

'The House of Commons remain fully satisfied that he was the first Propounder.'

'These Protestations premised, he branch'd the Oppressions into three Natures, used in the Wines, Sugars, and Grocery-Wares.'

'And he promised to use this Method to discover, first, some General Matters, then fall to Particulars.'

The Generals are two:

'The first, The House of Commons conceive, that my Lord Treasurer cannot be ignorant, that in the Lay of the first Imposition, in the Time of the Earl of *Salisbury*, it was promised, in the Banqueting-House at *Whitehall*, That his Majesty would never lay any more Imposition upon Commodities, without the Consent of the People.'

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‘ The second General, That my Lord Treasurer knew well that, in that Assembly of Parliament, Complaint was made in the Lower House, that the Overburthening of Trade was the Destroying it; and that he was himself employ’d by the House to the King to negotiate for Redress therein; and he promised there, that he would make it his Master-Work.’

Quid dignum tanto foret hic Promissor.

‘ The Issue of all was this, for his Lordship to devise new Burthens.’

‘ These were the two Generals; from these the Knight descended to Particulars, and began with the Wines.’

‘ He put their Lordships in remembrance, that the Merchants had the King’s Covenant under Seal, and Promise by his Royal Word, to lay no further Impositions: They had Reason to desire it, for they paid a great Fine and Rent for the Farm, which your Lordships knew best; yet for all this, 19. *Januarii*, 19. *Jacobi Regis*, there issued forth a Privy Seal of imposing 3*l.* *per Tun* on the *French Wines*; a grievous Imposition in the Matter, yet worse in the Manner: For if it had been just, yet, in Equity, it should have been laid before the Voyage undertaken, and the Vintage made; then it had been known, and, if known, the Merchants (as they affirm’d in the House of Commons) had stay’d at Home, deserted and given up Trading.’

‘ But this Imposition was not laid till 2700 *Tun* of Wine were arriv’d in the River of *Thames*; and yet the Lord Treasurer gave Command, that no Entry thereof be made in the Custom-House untill Security was taken to pay this intolerable Imposition.’

‘ He left your Lordships there to consider their Circumstances.’

‘ 1. Ships all laden with this perishing Commodity.’

‘ 2. Great and excessive Leaking, by being upon the River, and Abuse in the Passage.’

‘ 3. Thirty Shillings *per Tun* formerly imposed by the *Rochelers*.’

‘ 4. Twenty Shillings *per Tun* laid by the Merchants, for their several Apparel taken away by the *Rochelers*.’ An. 22. James I,
1624.

‘ 5. This 3 l. *per Tun* to fill up the Measure of their Afflictions.’

‘ Yet, instead of Compassion in this Extremity, such as refused to pay, were cessed at the double the Imposts; others, who could not put in Bonds, after Asperity of Language and petitioning to the King, were committed to Pursuivants; yet the King’s Privy-Council used the Merchants honourably; for they sent for the Vintners, and, to help the Merchants, they raised the Wine a Penny in a Quart.’

‘ Notwithstanding this the Merchants fell into the Hands of Customers, who used them rigorously, and they lost great Part of their Principal: First, They paid half of this new Imposition in hand, and gave Security to pay the other half; afterwards, the Payment was divided into three Parts, and secured by the Merchants accordingly. On the 20th of *August* following, another Privy-Seal was issued to determine the former; yet 40 s. only of this Imposition was taken off thereby, and 20 s. laid on the *French Wines* partially and without Limitation; viz. 20 s. the Tun for *London*, and 13 s. and 4 d. for the Out-Ports, whereof the *Londoner* complained; and it was inserted in the Privy-Seal, to be at the humble and voluntary Assent of the Merchants; which is absolutely deny’d, for they only consented to pay 20 s. the Tun, untill the Remainder of the former Imposition, so secured as aforesaid, were paid, and no longer; yet they were haunted by Pursuivants till they had paid; and they complain they are undone, unless their Bonds be delivered up. They further complain, That they do pay for their Trade *Cent. per Cent.* and shew’d the Particulars, viz.’

‘ One Merchant had paid 800 l. to the King for his Part in a short Time, and now unable to pay any more.—Here the Knight said, That he would

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would willingly suppress what follows, for Acerbity of Speech is no Breeder of good Blood: But the Commons had commanded him to speak it, and to declare further, That the Merchants compared their Sufferings under these Impositions, to the Sufferings of the old *Israelites* in *Egypt*, when they were commanded to make Brick with less Straw; and generally confess, that they would drive twice as much Trade, if their Trade were not overburthened.

‘Hereupon they thought they had sufficient Ground to complain; this being dishonourable to the King and oppressive to the People, the King’s Promise, Word, and Covenant being violated; these Impositions, double the Value, being grievous to the Subject and fearful to Posterity; for besides the old Imposition, by Statute, upon Wines, there are three more upon one another.’

‘*Et quis erit Modus*, of feeding upon Trade.’

‘Here ended the Complaint touching the Imposition on Wines.’

‘Then he proceeded to the Complaint of the Lease of Sugars procured by the Lord-Treasurer, viz.’

‘That whereas *George Herriot* held the Farm of Sugars, upon a Rent of 10,000 Marks *per Annum*, the Lord-Treasurer procured him to surrender that Lease, and obtained a new Lease thereof unto two of his Lordships Servants to his own Use, at 2000 l. *per Annum* for the same.’

‘What Merits had his Lordship, in the great extreme Want of Money, as to draw from his Majesty so great a Reward as 4000 l. *per Annum* for 21 Years? But the Commons Complaint herein is of a higher Nature.’

‘That the King having granted, that the Merchants importing any Merchandize, and paying the Duties for the same, if they export the same within 13 Months, their Imposition is restored: This is observ’d in all other Merchandizes save that of Sugars.

gars. The Reason is plain if your Lordships know An. 22. James I. 1624.
who is the Farmer of it.

‘ The Commons further complain’d, That the Lord-Treasurer had turn’d the Composition for Grocery into an Imposition; which his Lordship did, without any Warrant, whereby he usurped Regal Authority.’

‘ That the City of *London* had yielded to a Composition for Grocery, but the Out-Ports refused, and especially the City of *Bristol*; and that in the Lord-Treasurer *Salisbury*’s Time, *Anno 11. Jacobi*, that City had a Decree in the Exchequer, that they should be freed from any such Composition, upon condition to yield to Purveyance in Kind, when the King or Queen comes within 20 Miles of their City; which Purveyance cost them 800 l. when the Queen’s Majesty was there. Nevertheless the Lord-Treasurer had directed his Warrant to levy a Composition upon the Merchants of that City and the other Out-Ports, against their Wills, with Commandment to stay the Landing of their Goods untill it be paid.’

‘ And this, he said, was the Substance of their crying Complaint; what more can they say, but, with wise King *Soloman*, *If thou seest the Oppression of the Poor, and violent Perverting of Judgment and Justice in a Province, marvel not at it; for he that is higher than the highest regardeth, and there be higher than he*, Eccl. v. 8.’

‘ Their Complaint is of an high Lord, the Lord-Treasurer; but your Lordships are higher than he; the King higher; and God higher than all; whose Justice your Lordships execute.—This Justice they, humbly and instantly, demand of your Lordships against these Oppressions.’

This Report being ended, the Lords took into their Consideration how to proceed in the Business, and then referred the Examination thereof to the Sub-Committee on Munitions, &c. adding to the said Committee the Lord-Keeper, the Lord-Steward, the Bishop of *Bath and Wells*, the Lords
Went

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An. 22. James I. 1624. *Wentworth* and *Spencer*: That their Lordships may divide themselves into several Committees, if they please, for expediting this Business; and may send for any Witnesses to be sworn here in Court, that may conduce to the Examination thereof.

Committees appointed to examine Witnesses in the Lord Treasurer's Cause.

April 17. We hear no more of the Lord-Treasurer's Affair for some Time, the several Committees of Lords being busy in examining Witnesses, in support of the Charge the Commons had exhibited against him. But, this Day, another Conference was required, by a Message from the Lords to the Commons, in order, as they said, to clear some Doubts that had arisen concerning the Breach of the Treaties. This Message was agreed to, and the Conference was to be in the *Painted Chamber* immediately.

Account of the dangerous State of Ireland.

Upon this the Duke of *Buckingham* got up and acquainted the House with a Letter, written from the Lord-Deputy of *Ireland*, unto the Lord *Chichester*, concerning the Weakness and imminent Danger of that Kingdom: And also with Intelligence from Mr. *Trumball*, the King's Agent at *Bruxels*, concerning the Vaunts and Threats of the Adversary. His Grace also opened to their Lordships the Danger of a War in *Ireland*; and that the same may be prevented by a War of Diversion in the Enemy's Country; and that the Counsel given his Majesty to break off the Treaty will prove dangerous, if he be not supplied with Means to undertake a War.

The Lords agreed to acquaint the Commons with this Business, and that the King had sent a Dispatch into *Spain*, according to his Majesty's former Intimation, for the Dissolution of the two Treaties.

April 20. The House of Lords was adjourned from *Saturday* the 17th to this Day, on a Motion of the Prince, because the Funeral of the Duke of *Richmond* was to be performed on *Monday*. This Lord, who was Cousin-German to the King, died on the first Day of this Parliament, as has been before related.

Eighteen

Eighteen Witnesses were sworn, a *Moir dire*, in An. 22. James I. 1624. the Lord-Treasurer's Cause, touching such Matters as shall be demanded by the House, or any Committee appointed by them. And, the next Day, seventeen more were sworn on the same Occasion. Nothing more of Moment was done till the 24th.

On that Day, after swearing twenty-eight more Witnesses in the Treasurer's Cause, and reading the King's Answer to the Petition against *Papists*, &c. already given; the Archbishop of *Canterbury* reported to the House, That the Committee, appointed to examine into the Complaint against the Lord-Treasurer, had met, and examined divers Witnesses, who were sworn here in the House, and had made a Collection of Part of the said Charge; which Mr. Attorney read in Form following:

PART of the CHARGE against the LORD
TREASURER.

I. **T**HE Farmers of the Petty Farms of Wines and Currants, having sustained great Loss in their Farm, by an Impost of 3*l.* *per Tun* of Wines newly set, were long and instant Suitors to the Lord Treasurer for Relief; but finding none, exhibited their Bill into the Exchequer, and afterwards a Petition to the King, for Reparation of their Loss; to which having received a gracious Answer from his Majesty, the Lord Treasurer agreed with them upon a Recompence of 9500*l.* to be defalked by 1000*l.* *per Annum* out of their Rent; yet, after this Agreement made, he protracted their Warrant about six Months, and, in the End, took of them a Bribe of 500*l.* for their Dispatch, which was set upon the Account of the Petty Farms: But since the Summons of the Parliament, the same was, by his Lordship's Direction, posted to the Account of the Great Farms.

II. ' The Lord Treasurer being presented with a *Tun* of Wine, by the Farmers of the Petty Customs,

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An. 22. James I. stoms, was not contented therewith, but exacted Money of them also; who were thereupon drawn to give him 100 l.
1624.

III. 'The Farmers of the Great Farm having, by their Lease, covenanted to give Security for the Payment of their Rent, divided their Farm into 32 Parts, appointing every Partner to give Security of 1500 l. for every Part. Five of the Partners relinquishing their Parts, the Security fell short 7500 l. Whereupon the four Patentees, resuming those five Parts to themselves, tendered their own Security; which his Lordship agreed to accept, yet protracted about three Quarters of a Year, untill they gave him 500 l. for his Dispatch. And whereas his Lordship pretends, by his Answer to the House of Commons, that he had this 500 l. and the other 500 l. first mentioned in one entire Sum, for four thirty-two Parts of that Great Farm, it appeareth his Lordship had no Parts at all in that Farm.'

IV. 'George Herriot having the Farms of Sugars upon the Rent of 1000 Marks *per Annum*, the Lord Treasurer procured Herriot to surrender that Lease; and, to effect the same, gives Order for the Payment of 14,865 l. due to Herriot for Jewels; all which was paid between the 15th of *December*, 1621, and the 10th of *January* following. The Lease was no sooner surrendered, but the said Treasurer procures a Lease to two of his Servants, by Indenture, dated *Jan. 13. 1621.* for 21 Years, at 2000 l. Rent *per Annum*; which Rent his Lordship paid so slowly, that there having only 4000 l. thereof grown due since the Lease, 3000 l. thereof was paid on and since the 31st of *December* last: And whereas the Merchants, importing any Merchandize, and paying the Duties, are freed to export within the Year, without any new Payments; that Custom was observed in all other Farms, but denied in this, for the said Lord Treasurer's Benefit.'

V. 'The City of *London* having yielded to a Composition for Grocery Ware, which the Out-Ports,

Ports, particularly the City of *Bristol*, refused ; An. 22. James I.
upon long Debate and Advifement, in the Time 1624.
of the Treasurer *Salisbury*, it was refolved they
fhould not be prefs'd thereto: Nevertheless, the
Lord Treasurer hath given Warrant to levy that
Composition upon the Merchants of the Out-Ports
againft their Wills, or elfe to ftay the Landing of
their Goods; which hath been put in Execution
accordingly.

VI. ' In *December*, 1618, his Majefty, upon
great Deliberation and Advifement, did fet forth
Inftiutions, very fitting and neceffary for the well
ordering of the Court of Wards: The Lord Trea-
furer becoming Master of the Wards, and, for his
own private Gains, aiming at an Alteration of
thofe Inftiutions, firft procured a Reference to di-
vers of the Council to confider thereof, yet after
waved that Reference; and, by his own Power
and Greatnefs with the Officers of the Court, (tho'
much againft their Wills) and by Mifinformation
of his Majefty, (tho' much to the Difadvantage of
the King and Subject) in the Year 1622, procures
new Inftiutions; thereby taking the Petitions from
the Clerk of the Court, and appropriating them to
himfelf and his Secretary, who takes great Rewards
of the Subject for procuring Answers to the fame;
and, by Colour of thofe new Inftiutions, he dou-
bles Fees of Continuance of Liveries; and, having
concealed the Wardfhips to himfelf, he may eafily
make Wardfhips concealed by the Courfe of the
new Inftiutions.'

' Alfo he hath made a Stamp, and delivered the
fame to his Secretary to be ufed; thereby unlawfully,
putting into the Hands of his Secretary the greateft
Part of the Power and Truft appertaining to the Of-
fice of Master of the Wards. This the Secretary hath
ufed, ftamping therewith, in the Abfence of the
Master, Tenders, Continuances, Warrants to the
Great Seal, Grants of Wardfhips and Leafes, In-
dentures of Liveries, &c. And whereas, by a
Privy Seal of 6^o *Jacobi*, there was an Allowance
settled

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An. 22. James I. 1624. settled for the Ordinary of the Office of Ordnance; which, being put out of Order in the Time of Sir *Roger Dallison*, in Anno 1617, the Lords, upon Reference from his Majesty, set, under their Hands, a Proportion, both for present Supply and future upholding of that Office: But his Lordship, being Treasurer for the Space of two Years and a Half, hath observed none of these Proportions or Establishments; whereby the Stores are, in effect, wholly unfurnished.

‘ And there being a Contract made with Mr *Evelyn*, by himself and other Commissioners for his Majesty, for serving his Majesty with Gun-Powder, being a Bargain of high Consequence to have been kept, his Lordship hath also neglected and broken that Bargain, to the Hazard of the Kingdom and Prejudice of the King.’

‘ He hath also made unlawful Bargains for the Lands of Sir *Roger Dallison*; wherein, for compensing those Lands, he has contracted to do his Endeavour to procure Payment of 8000 l. of old Arrears, (which he performed when he became Treasurer) and to pay for the Land with making of Baronets and Suits to the King; and, in particular, a Suit, for compounding with his Majesty’s Copyholders of *Wakefield* by himself, worth 2000 l. And, having agreed with Sir *Thomas Dallison* and the Officers of the Ordnance, he, to gain, indirectly, and by oppressive Means, an Estate which Sir *Roger Dallison* had passed to Sir *Richard Smith* and Sir *John Davy*, he setteth on Foot an Outlawry, of Sir *Roger Dallison*, and thereby dispossesteth Sir *Richard Smith* and Sir *John Davy*, who had been in Possession, by a Trial at Law; using the Power of his Place, and Countenance of the King’s Service, to wrest them out of a Lease and Estate of great Value.’

After the Reading of this, it was ordered, That the said Part of the Lord-Treasurer’s Charge should be sent unto him To-day. And that he be warned

ed to appear here at the Bar, on *Thursday* the 28th Instant, at Nine in the Morning, to answer it. Likewise, if he had Witnesses to be examined, he may present their Names to the House to be sworn between this and the same Day. And this is said to be *Part* of the *Charge*, because there are other Things against him which are yet in Examination; and, when reported to the House, he shall be charged therewith, if thought fit.

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The Lord Treasurer ordered to answer the Charge against him.

April 26. The Messengers that were sent to deliver the Charge, &c. to the Lord-Treasurer, declared they had done it; but he gave no other Answer to them than, *It is well.*

April 27. After receiving eight Bills from the Commons, and doing some other Business, a Petition from the Lord-Treasurer was read *in hæc Verba*:

To the Most Honourable Assembly of the Lords Spiritual and Temporal in the High Court of Parliament.

The HUMBLE PETITION of the LORD-TREASURER of England.

Most humbly representing to this most honourable House the Names of such Persons (by the Schedule annexed) as the Lord-Treasurer humbly desireth may be sworn and examined for Discovery of the Truth, upon such Articles as he shall exhibit, touching the several Matters contained in that Part of his Charge, which has been delivered to him. For which Purpose he humbly prayeth such Warrant for calling in those Witnesses, and such others as he shall give Notice of to the Clerk of the Parliament, as the Form of this High Court requireth.

His Petition as to
Witnesses, Counsel, &c.

And, withall, humbly propoundeth to the Consideration of this most honourable House, Whether your Lordships will think fit to proceed to Examination of Witnesses to be produced on his Part, before he hath made his Answer; whereby it may first appear to your Lordships what Things he will deny and what confess

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An. 22. James I. *confess and avow, and in what Manner he will avow the same; upon which, as upon Issue joined, he may particularly examine his Witnesses, and, after Copies of the Depositions taken both for and against him, the Cause may be prepared for your Lordships honourable Judgments; which he protesteth to further, on his Part, to a Hearing with all possible Expedition.*

Lastly, his most humble Suit is, That, in respect of the Nature and Multiplicity of the Matters objected against him, which do necessarily require the Assistance of learned Counsel, this most honourable Court will be pleased to assign the following Gentlemen to be of Counsel with him, in this Cause of Weight so much concerning him; viz. Mr. Doctor Steward, Mr. Richard Hide, of the Middle-Temple, Mr. William Hackwell, of Lincoln's-Inn.

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Then follow the Names of near forty Witnesses:

This Petition being read, the Lords appointed a special Committee to consider what Answer should be made to it, consisting of the Lord-President, Lord Viscount Rochford, the Bishop of Rochester, and the Lords Wentworth, Howard, and Say. These Lords having withdrawn themselves some Time, and being returned, the Lord-President reported to the House the Answer agreed on, in these Words:

The Order of the
Lords thereupon:

1. That Warrants shall be given for calling in of such Witnesses, whose Names shall be exhibited in Writing, and thought fit by the House to be examined; the Interrogatories and Witnesses Names to be sent to the House To-morrow in the Afternoon, and the Witnesses themselves to appear, that such of them may be sworn and examined as the House shall think fit. 2. The House sees no Cause, when the Witnesses Names and Interrogatories are sent in, why the Examination of them should be deferred: But the Day for his Appearance and Answer was to hold. 3. His Lordship
may

may use what Council he pleases to advise for his Defence; but it stands not with the Orders of this House to allow Council, at the Bar, in Cases of this Nature. An. 22. James I.
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This Answer, being read and approved, was sent to the Lord-Treasurer. A *Memorandum* is made, That the Earl of *Bridgewater*, one of the Committee to search *Precedents*, &c. reported, That they could find none where a Member of this House did answer, by his Counsel, to a Complaint exhibited against him: But that divers Members of this House and others had answered in Person and not by Counsel; and that Counsel was denied to *Michael de la Pale*, Lord-Chancellor, *Anno 19, Richard II.* when he required the same.

April 28. The Lords being inform'd that the Witnesses, whom the Lord Treasurer desired to be examined, waited without for that Purpose; they ordered the Usher to go forth and enquire, whether any from the Lord-Treasurer attended with Interrogatories to be exhibited by his Lordship to the Witnesses. And, being informed there was none, the Lords agreed, for gaining of Time, to swear the said Witnesses according to the usual Oath.

Soon after this came another Petition from the Lord-Treasurer to the House, which was read *in hæc Verba*:

To the Right Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

The HUMBLE PETITION of the Earl of MIDDLESEX, LORD-TREASURER of England,

The Lord Treasurer's Petition as to Interrogatories, Depositions, &c.

Most humbly sheweth, That, according to your Lordships Directions, in Answer to his Petition humbly presented Yesterday, he had appointed the Witnesses there named to attend the most honourable House this Afternoon, to be sworn to answer such Interrogatories as, on his Behalf, shall be exhibited.

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But,

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But, whereas your Lordships did further direct that the said Interrogatories should be presented this Day; he most humbly desires your Lordships to be truly informed, that, having neglected no Time since he received his Charge to prepare his Answer, he finds the Matters objected so many and of such divers Natures, that he cannot yet, possibly, furnish the same, in such perfect and particular Manner, as he ought and desires to do for your Lordships best Satisfaction, and the clearing the Matters laid to his Charge in all Points.

And therefore, his Answer being not yet ready, upon which all the Interrogatories must properly be grounded, and without which your Lordships Judgments of the Pertinencies of the Interrogatories cannot be rightly informed, he humbly beseecheth your Lordships to respite them, and as soon as his Answer is finished he will forward them with all possible Speed.

And he doth, once again; humbly propound to the Consideration of this most honourable House (because therein your Lordships have not been pleased to give Answer unto his former Petition) whether your Lordships will not, in your noble Justice, permit him to have Copies of the Depositions taken and to be taken in this Cause, on both Sides, without which he shall be utterly disabled to make that just Defence, which a Cause, of that Importance to him, doth necessarily require.

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Order thereupon. The Lords, upon reading this Petition, did all agree, 'That it is against the Order of this Court, as well as of all other Courts, for a Delinquent to have Copies of the Examinations before he answers.' And, as to the rest of the Petition, the following Answer was agreed on to it.

'The Lords expected to be obeyed and not to have been directed; and hold for a Disrespect unto the House, That Witnesses should be produced and sworn, and no Interrogatories sent whereon to examine them as was required.'

'The Copies of Depositions already taken, for Proof of the Charge, was not directly prayed in
the

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the former Petition, therefore it was not precisely answered; but it is so unfit a Desire that the Lords think the Petitioner ill-advised to make such a Request. And, according to the former Order of the House, the Lords expect the Lord-Treasurer's Appearance To-morrow Morning, to hear such Answers as he shall make.

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April 29. Another Petition from the Lord-Treasurer was presented to the House, and read *in hæc Verba*; directed as before:

*M*ost humbly shewing, That, besides the weighty Cares of Mind which now do lie upon him, by the Charge he hath received from that most honourable House, he is fallen into such an Indisposition of Body, as he is once more enforced to beseech your Lordships, in your noble Justice and Favour, to grant him a farther Day for presenting his Answer and Interrogatories, which shall out to be much longer than he himself expected. It being no small Addition to his Sorrows, that, in a Case so nearly concerning him, he cannot conceive by their Lordships former Answers to his former humble Petition, that they purposed to allow him Copies of the Depositions, whereby, after his Answer delivered in Writing, he shall prepare himself for his just Defence against the Hearing.

The Lord Treasurer's Petition
for further Time;

MIDDLESEX.

To back this Petition, his Royal Highness the Prince moved the House, 'That in respect of the Lord-Treasurer's great Office, and Sickness pretended by his Lordship, he might have a longer Day given him, and that Day to be absolute. On which, the following Answer to the Petition was agreed on.

'That the Lords, only, in respect of the Lord-Treasurer's Indisposition of Health, are pleased to respite his Appearance this Day; but do enjoin that on Saturday next, May 1. at Nine in the Morning, if his Health so permit, he bring his Answer

Which is granted him.

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An. 22. James I. according to the former Orders of this House; if
1624. not, that then he send his Answer to his Charge in Writing, and all such Interrogatories as he would have his Witnesses examined upon. Likewise, the Lords do peremptorily assign *Friday*, the 7th of *May* next, at Nine in the Morning, for his Appearance in Person, and for the final hearing and determining the Cause.

This Concession of the Lords was gained by a Letter, which the Treasurer had wrote to the King, to intreat him to intercede with them for longer Time. The Letter itself is too consistent with this Design to be omitted.

The Earl of MIDDLESEX to the KING (*d*).

His Letter to the King for that Purpose.

Sacred Majesty and my most gracious Master,
Your Goodness is such to me your oppressed Servant, in this my Time of Persecution, as I know not how to express my Thankfulness; otherwise than by pouring forth my humble and hearty Prayers to the great God of Heaven and Earth, to grant your Majesty all Happiness here and everlasting Happiness hereafter.

Between Five and Six of the Clock on Saturday in the Evening, I received my Charge from the Lords assembled in Parliament, with an Order by which I am commanded to appear at the Bar, on Thursday next, by Nine of the Clock in the Morning, with my Answer; and in the mean Time to examine my Witnesses.

This Charge of mine hath been in preparing, by examining Witnesses on Oath, and otherwise, twenty-three Days; and hath been weighed by the Wisdom of both Houses; and doth concern me so nearly in Point of Honour and Faith to your Majesty, to answer well, as I value my Life at nothing in comparison of it.

I may grieve, tho' I will not complain of any Thing my Lords shall be pleased to command; but do hope that, upon a second Consideration, they will

not

(*d*) *Cabala*, or *Mysteries of State*, &c. Fol. Edit. p. 301.

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not think three Days a fitting Time for me to make my Answer, and to examine Witnesses in a Cause of such Importance and so nearly concerning me, when twenty-three Days have been spent, almost from Morning untill Night, in preparing my Charge.

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I know the House (whose Judgment I shall never desire to wave) is the proper Place for me to move to be resolved herein; and therefore shall, on Wednesday Morning, make my humble Motion there, to have seven Days longer Time, as well to make my Answer and Appearance, as to examine my Witnesses, who are many, and upon several Heads.

But because the Prince his Highness and many of the principal Lords are now with your Majesty at Windsor, my humble Suit to your Majesty is, that you would be pleased to move them, on my Behalf, to yield me so much further Time, that my Cause may not suffer Prejudice for want of Time to make my just Defence; that which I have propounded being as moderate as is possible.

With my most humble and hearty Prayer to Almighty God for Continuance of your Health, with all Happiness, I humbly kiss your Majesty's Hands, and will ever rest,

April 26. }
1624 }

Your Majesty's

most humble Subject and Servant,
MIDDLESEX.

To go on with our *Journal*:—The same Day, April 29, the Attorney General read some additional Articles to the Charge against the Lord Treasurer, *in hæc Verba*:

'I. He undertook the Office of the Wardrobe, in the 16th Year of his Majesty's Reign; and continued in the Service of that Place from Michaelmas, Anno 16, to the same Time, Anno 19. This Office he took upon him under Pretence of doing his Majesty special Service; and, for that Purpose, obtained a certain Assignment of 20,000*l.* per Ann. or thereabouts, which was duly paid unto him by way of Imprest.'

Additional Articles against the Lord Treasurer.

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‘ Instead of doing Service, he hath brought that Place into Disorder and Confusion; he hath not duly served the Warrants which he should have served, nor paid the Workmen and Creditors; he hath neither kept orderly Accounts, nor yielded any; but, under Colour of pretended Service of great Importance, hath procured Gifts and Discharges of great Sums of Money, which he received for the Execution of that Place, and for the Queen’s Funeral.’

‘ II. Whereas, in the former Charge delivered to his Lordship, it is mentioned that Merchants, importing Sugars, have been denied to export the same without paying new Duties: It appears, upon further Consideration of that Business, That the Prejudice the Merchants have sustained concerning their Sugars, is, that they have been denied, upon Exportation of Sugars, the Imposts paid on Importation; which is contrary to the Direction given by his Majesty’s Letters Patents 5 Sept. 8 Jac.’

A Copy of this, signed by the Clerk, was sent to the Lord Treasurer by Mr. Sergeant *Davis* and Mr. Sergeant *Finch*.

May 1. This Day the Lord Treasurer sent yet another Petition to the Lords, with his Answer to his Charge, and the Interrogatories to four Parts of the same; which, being read, were referred to a Committee, who were to report to the House what Interrogatories they reject. The Tenor of the Petition was as follows;

To the most Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

His further Petition.

THE Lord Treasurer, with most humble Thanks, acknowledgeth the honourable Favour of this House, by their noble Order made in this House on Thursday last; and doth most humbly take hold of the Liberty thereby granted him, (in respect of his Indisposition, which yet continueth) most humbly to present

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sent to your Lordships herewith all his Answer, in Writing, as well to the Charge he received the 24th of April, as to the Additions thereto which he receiv'd the 29th of the same, together with as many of his Interrogatories for Examination of Witnesses as he could possibly make ready by this Time, which are full and perfect for four of the Articles of his Charge; most humbly desiring Monday morning at the Sitting of the Court for the bringing in the rest; and that your Lordships will pardon the Length of his Answer; the Variety and Multiplicity of the Particulars necessarily requiring it, as well for the readier informing of your Lordships Judgments, as for Relief of his own weak Memory, whom as yet you have been pleased to appoint to stand alone without Counsel at the Hearing: He doth withall humbly explain his Meaning in the former Petitions, which were not to desire Copies of the Depositions before his Answer were put in, and all Witnesses for and against him fully examined: But, when that shall be done, he hopes it will stand with the Honour and Justice of that most honourable House, to allow him Copies of the Depositions on both Sides.

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MIDDLESEX.

The Tenor of the Lord-Treasurer's Answer to his Charge followeth.

The HUMBLE ANSWER of the Earl of Middlesex, LORD-TREASURER of England, to the Part of the CHARGE which was deliver'd him from the most honourable Court of the Higher House of Parliament, on Saturday the 24th of April, 1624.

TO the first and third Articles concerning the two pretended Bribes of 500 l. a-piece, alledged to be taken by the Lord-Treasurer for the several Causes mentioned in the said Articles: His Answer is, That no such several Sums were ever paid unto him, nor any Money at all for any of the Causes mentioned in the said Charge; but he acknowledgeth that, the 27th of June last past, he, by his Servant, did receive at the Hands of Abraham

His Answer to
the first Part of
the Charge a-
gainst him.

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Abraham Jacob, one entire Sum of a 1000 l. in consideration of his, the said Lord-Treasurer's, Interest in four 32 Parts of the great Farm, which he had formerly reserved unto himself, upon settling the new Lease thereof; and for no other Cause, as he hath truly alledged in his Answer to the House of Commons: And, for better Satisfaction of this most honourable House therein, he hath here set down a true and particular Declaration of the State and Carriage of that Business, as followeth:

‘He is very well assured, that as his general Course, in all Bargains of the like Nature for the King, hath been to look to his own Duty and the King's Service, as the Husband of his Majesty's Estate; so in this particular, touching the 9500 l. allowed to the Petty Farmers in recompence of their Losses, he carried himself so carefully and so strictly for the King, as he could no ways expect so much as Thanks, much less any Gratuity or Reward from them: For though, at first, they demanded of his Majesty a very great Sum, pretending, that the Interruption they complained of was 10,000 l. Disadvantage to them in their first Year only; yet, upon good Reasons, shewed by the Lord-Treasurer, on his Majesty's Behalf, they were brought to accept of 9,500 l. whereof, though they earnestly pressed to have present Satisfaction, yet he over-ruled them to take it in nine Years and an Half, (which was not worth more than 5000 l. in hand) and that, also, to be in full Satisfaction of all their Demands, not for one Year, but for the whole Term of nine Years and an Half; so, as, in that Particular, the Lord-Treasurer was so far from doing them Favour, that he thinks, they have maliced him ever since, rather for holding them so hard to it, than for any Regard to the King's Service.’

‘And for the Great Farm, the said Treasurer saith, That the old Farmers, becoming Suitors to renew their Lease, propounded to leave the Silk-Farm upon his Majesty's Hands; and, withall, to have an Abatement of the Rent they then paid for the

the Great Farm: Whereupon the Lord-Treasurer, An. 22. James I. 1624. finding how much that Offer tended to his Majesty's Disadvantage, desired Sir *Arthur Ingram*, by himself and his Friends, to get a better Offer made to the King, which was done accordingly; and thereby his Majesty's Rent was not impaired (as at first was proposed) but increased 4000 l. *per Annum*; and the Silk-Farm-Rent was also made good; which, otherwise, to have been lett by itself, would not have yielded the old Rent by 5, or 6000 l. *per Annum*; so that the Bargain was better to the King than the old Farmers first offered by 9, or 10,000 l. *per Annum*: Notwithstanding, it was thought fit by his Majesty that, the old Farmers, coming to the Rate offered by others within a 1000 l. *per Annum*, should have the Preference of the Bargain. But withall, the Lord-Treasurer, to gratify those, who, by their said Offers, had done the King Service, by advancing the Rent as aforesaid, did, at the Instance of Sir *Arthur Ingram*, on his and their Behalf, reserve certain Parts of the said Farm, with no other Intention but to dispose the same among them; and then gave Order for the Lease to proceed to the Patentees, who were named, in Trust, for themselves, and all the Partners.'

' And, afterwards, the said Lord-Treasurer did dispose of the said Parts, reserved to the said Sir *Arthur Ingram* and others, according to the first Intention; four of which Parts, the Parties which had them did afterwards, at several Times, give up to the said Lord-Treasurer, and left the same at his disposing. Some Months after, Sir *Philip Carey*, who had one of the Lord-Treasurer's Parts, and some others placed by the Farmers, upon some Mislike of Carriages of that Farm, did also relinquish and give up their Parts; upon Occasion whereof, the Lord-Treasurer, being put in mind by Sir *Arthur Ingram* of the said four Parts, which were returned unto him by those to whom he had formerly disposed them; and being ask'd what he would do with them, did, upon *Jacob's* next coming to him, ask him, How the Farmers meant to use

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use him for his four thirty-two Parts of the Farm? He answered, That because his Lordship had formerly sign'd a Warrant, for the King's Security of all the thirty-two Parts, and said nothing of those four Parts, they thought his Lordship had waved them; but he would speak with the Partners about it, and then give him a full Answer. Within few Days after, *Jacob* returned to him, and very freely offered a 1000 l. for his Parts, according to the Rate which, he said, they had lately given to Mr. Chancellor for his; which the Lord-Treasurer was contented to accept: And, within four Days after, he told Mr. Chancellor what Bargain he had made with the Farmers, for his Interest in four thirty-two Parts of the Great Farm, *viz.* That he had sold them to the Farmers for a 1000 l.

* This Agreement being thus made with *Jacob*, and the 1000 l. paid accordingly; it falls out, by that which was since discovered, That he and his Partners, which shared those four Parts, agreed together, to ease themselves of that Money, (which should have been properly born upon their own private Accounts,) by laying the same upon the general Accounts of the Great and Petty Farms; (themselves being Farmers in both) and thereupon, the 1000 l. as is since discovered, was by them divided into two Parts; the one Half enter'd upon the Books of the Petty Farmers, and the other, upon the general Account of the Great Farm, as Gratuities to the Lord-Treasurer; who little knew of their unjust Proceedings, both with himself and their Partners, untill about *Christmas* last; when he had first Intimation of some such Charge laid upon the Petty Farms, not hearing then that which was done upon the Great Farms Account: Hereupon he presently sent for *Jacob*, and was much offended with him, that he should suffer any such unjust Thing to be done; who, at first, denied it; but, the next Day, confess'd it; and said, it was ill done; and said, he was over-ruled in it; and promised to set all straight again, according to the Truth and Right of the Case; which, the Lord-Trea-

Treasurer understands was done accordingly; not by posting the 500 l. from the Petty Farm's Account to the Great Farm's, but by discharging both unjust Charges out of both Accounts; the Patentees returning back the Money which they had taken off the Petty Farmers, upon the Lord-Treasurer's just Exception thereto; and also making like Restitution, of their own Accord, to their Partners in the Great Farm, whom they had likewise wronged; whereof the Lord-Treasurer heard nothing till of late: So, he hopes, the Proofs of this Cause will make it evidently appear, that all this Scandal hath fallen upon him, by this underhand working of the Patentees for their own private Gain; by wrongfully charging their Partners in both Farms, to ease themselves, without the Lord-Treasurer's Privy or Knowledge: And tho' the Patentees, to make their own Tale good, have lately denied that the Lord-Treasurer had any Part in the Farm; yet, it will manifestly appear upon Proof, by the Oaths of Men of good Reckoning, that themselves have acknowledg'd, that his Lordship had reserved Part of that Farm at his disposing.

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‘ For the 100 l. and the Tun of Wine, alledged, in the second Article, to be received: The Truth is this, That *Abraham Jacob* being with the Lord-Treasurer about other Business, told him, That the Farmers of the Petty Farms, had, or did intend, to present him with a Tun of Wine, for a New Year's Gift. The Lord-Treasurer then answered him merrily, That other Lord-Treasurers had been better respected by those Farmers, and that he would have none of their Wine; and shortly after, *Bernard Hyde* brought him an 100 l. for a New Year's Gift only, and for no other Cause.’

‘ To the fourth Article, concerning *George Herriot's* Reckoning and the Sugar-Farm, the Lord-Treasurer makes this Answer, That in 1620, a Lease was granted to *George Herriot*, of the Impost upon Sugars for three Years, not at the Rent of

1,000

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An. 22. James I. 10,000 Marks *per Annum*, as is alledged in the Charge, but at less by a 1000 l. *per Annum*, viz. 5666 l. 13 s. 4 d. Rent.'

'Afterwards, the 17th of *November* 1620, in the Time the Lord Viscount *Mandeville* was Treasurer, *Herriot* obtain'd a Privy-Seal of Assignment, whereby he had Power to pay himself out of the Sugar-Farm-Rent, by way of Retainer, a Debt of 13,089 l. 16 s. formerly due to him, viz. for his Fee-Arrear in the Exchequer 187 l. 10 s. and upon fix Privy-Seals for Jewels, formerly bought of him, 12,902 l. 6 s. in which Privy-Seal of Assignment, there was one special Clause, That if the said three Years Rent would not suffice to pay the whole Debt, by reason of Defalcations which might fall out upon the Farm, the rest should be made good out of the Exchequer; and afterwards, in *May* and *August* 1621, in the Viscount *Mandeville's* Time, *Herriot* obtained two other Privy-Seals, for two other Debts due to him, amounting to 1962 l. 15 s. which, being added to the former Debts by Privy-Seal, makes up the great Sum of 14,865 l. mentioned in the Lord-Treasurer's Charge.'

'And whereas it is alledged, that this whole Sum of 14,865 l. was paid to *Herriot* by the now Lord-Treasurer's Order within the Space of 26 Days; the Truth is, There was not one Penny paid at all in Money, but *Herriot* being indebted to his Majesty 7799 l. upon account of the Rents and Profits of the Sugar-Farm untill *Christmas* 1621, the same was allowed in discharge of so much of his Debt of 14,865 l. viz. 5666 l. 13 s. and 4 d. which he had Power to pay himself, by virtue of the said Privy-Seal of Assignment; and 2132 l. 6 s. and 8 d. which was done by him upon his Account before the Lease of the Sugar-Farm began. And whereas he might, by the said Privy-Seal of Assignment, have paid himself the other 7066 l. within less than 15 Months; the Lord-Treasurer did, by *Herriot's* Consent, transfer the same to be paid out of the Tobacco-Farm, viz.

viz. 4000 l. at *Michaelmas* 1622, and the rest at *An. 27. James I.*
Michaelmas 1623; which was a longer Time and 1624.
 more advantageous Assignment for the King than
 the former was: So, although there were several
 Orders sign'd, as if the Money had been paid im-
 mediately out of the Exchequer; yet that was done,
 of Necessity, to enable the striking Tallys, for the
 Tellers Charge and Discharge, as the Form of the
 Exchequer required, without issuing any Money at
 all: So that it will appear upon Record, this Charge
 upon the Lord-Treasurer is wholly mistaken; and
 that he was so far from paying so much ready Mo-
 ney as he is charged with, that he paid no ready
 Money at all, but by Assignment; which he made
 at longer Days, than it was formerly settled in his
 Predecessors Time. And thereupon *Herriot*, hav-
 ing his Debt thus settled and paid to his Content,
 did surrender up his Lease; which, he had procured
 to no other End, but to secure the Payment of
 the Debts owing to him by the King. Afterwards,
 it is true, his Majesty granted a new Lease of the
 Sugar-Farm to the Lord-Treasurer's Use, at the
 Rent of 2000 l. *per Annum*; in the granting where-
 of his Majesty was truly inform'd of the State of
 the same, and particularly made acquainted, That
 the said Farm of Sugars might be improv'd to
 6000 l. *per Annum*, though *Herriot* had it but at
 5666 l. 13 s. 4 d. it being his Majesty's Pleasure,
 out of his own Grace and Goodneis, to grant the
 same, in Form aforesaid, to the Lord-Treasurer,
 for his many Services, and for Considerations best
 known to himself.

' For the flow paying his Rent, it is true, that
 one of the 3000 l. was paid three or four Days
 after the Rent-Day, and the other two Half-Years
 Rents were forborn in respect of some private Dis-
 bursements of his Lordship's for the King; upon
 Bills of Exchange to the Commissioners for *Ire-*
land; and other Engagements for his Majesty;
 which his Lordship intended should be discharg'd
 and clear'd by the said Rent.'

' And,

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‘ And, lastly, The Liberty of transporting Merchants Sugars, formerly imported, remaineth now in the same Estate and Condition, without any Alteration, since the Lord-Treasurer’s Lease, as it did at any Time before; neither is there any such Restraining or Denial made by him, or under him, to the Merchants Prejudice or his own Profit, as is alledged in the Charge.’

‘ To the fifth Article, touching the Composition for Grocery-Wares in the City of *Bristol* and the Out-Ports; the said Lord-Treasurer saith, That Complaint being made unto him on his Majesty’s Behalf, That, the said Composition-Money being no less due in the Out-Ports than in the Port of *London*, no certain Course was settled for the receiving of it, or bringing it to account for his Majesty’s Use, so as little or no Benefit thereof came to the King: He thereupon thought fit to send a general Warrant to the Out-Ports, to authorize *Abraham Jacob* to take care of that Collection; and receive such Duties of that Nature, as had been formerly used to have been paid; to the end the whole Collection thereof might come in upon one Man’s Account; with no Intention to raise a new Charge upon the Subject, but only to settle the Collections of the King’s Duties in Order: And, as soon as the said Lord-Treasurer had notice, That the Citizens of *Bristol* had formerly yielded to furnish his Majesty’s Household with Grocery in *Specie*, upon Purveyance, at the King’s coming into those Parts; and, thereupon, had obtained an Order in the Exchequer, to exempt them from the Payment of the Composition; the Lord-Treasurer did presently discharge the former Warrant sent thither before, and referred the Merchants (who acquainted them with it) to Sir *Simon Harvey*, one of the Officers of the Green Cloth, who certified his Lordship, that he had agreed with them to their good Contentment.’

‘ To the sixth Article, concerning the Business of the Court of Wards, the Lord-Treasurer makes this humble Answer, That in *December 1618*, his
Ma-

Majesty did set forth Instructions for the ordering of the Court of Wards; which Orders were set forth by the Procurement and Solicitation of some of the Officers, without the Privy of the Lord Viscount *Wallingford* then Master, and some other of the Council of that Court, and near about the Time of his Lordship's leaving the Place; divers of which Articles tended to the Abridgement of the antient Authority and Profits of the Master's Place, and for the Profit of others of the Officers of the Court.

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Whereupon the Lord Treasurer, being made Master, was an humble Suitor to his Majesty to restore him to the former Rights of the Place, by altering the said Instructions in some Points, not prejudicial to his Majesty's Profits, nor grievous to his Subjects; upon which it pleased his Majesty to refer the same to some Privy Counsellors, as is mentioned in the Charge; after which Time, and before any Thing was done, upon the humble Motion of the Lord Treasurer, his Majesty was pleased to direct, That the Master and Officers should first confer and agree (if they could) among themselves, and resort to the Referrees, if they agreed not: Whereupon the Master and all the Officers, upon sundry Meetings and Debatings, agreed among themselves for the new Instructions, and thereupon voluntarily subscribed their Names. There was no Misinformation used to his Majesty; neither are the Points contained in the new Instructions disadvantageous to the King or Subjects more than the former, and, in some Points, of much more Advantage both to the King and Subject.

Touching the taking Petitions from the Clerk of the Court, and appropriating them to himself and the Secretary, who is charged with taking great Rewards for procuring Answers to the same, he saith, That, untill the said Instructions of 1618, all Petitions were delivered to the Master; which, by the said Instructions of 1618, were (to the great Prejudice of the Subject, and Delay of his Majesty's Service) delivered to the Clerk of the Court, who

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who was to present it at the Sitting of the Council, which could be only in Term Time; whereas, by the former antient Course, and by the last Instructions, the Petition being delivered to the Master, he only giveth Order for finding and returning an Office, which must also be entered with the Clerk; and, the Office being returned, the Grant is made by the Master and Council, at the Council Table. By this Course the Suitor hath Expedition at all Times, and the Master no Profit at all; and the Secretary neither hath taken, nor exacted, any Reward of the Subject for procuring Answers, to the Knowledge of him the Lord Treasurer.'

' Touching the doubling Fees for Continuance of Liveries, by the new Instructions, he saith, That, ever till the Instruction of 1618, the Suitor might continue his Livery, either with the Master or Surveyor; and the Master's Fees for such Continuance was ever ten Shillings. The Instructions of 1618 appropriated the Continuance only to the Surveyor, which was an Encroachment by the Surveyor upon the Master; now the new Instructions enjoin the Continuances to be with both, for which the Master taketh no other Fee than ten Shillings, which was the antient Fee for Continuances taken by all Masters before him: And, for Tenders, the Master doth now take but five Shillings; whereas the antient Fee is ten Shillings.'

' By the Continuance before both Houses, Men are rather forced to sue out their Liveries to the Benefit of the King, and Good of such as have Cause to sue against them.'

' Touching the having of concealed Wardships, and, to that Point, that the Master may easily make Wardships concealed by the Course of the new Instructions, the Lord Treasurer saith, That altho' he hath the disposing of concealed Wardships, yet the Benefit of them is to the King's own Use; and it is not in his Power to make a concealed Wardship: For if the Petition should be suppress'd, or not answered, yet it is no Concealment, by the
new

new Instructions, if any Suit be made for it within a Year after the Death of the Tenant; neither is the Lord Treasurer charged to have done, or so much as to have attempted any such Act.

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‘Touching the Stamp, which he is charged with having delivered to the Secretary, he doth humbly acknowledge the same; but, withall, desireth your Lordships to take into Consideration, that the whole Purpose and Scope of doing thereof was only for the present Dispatch of Suitors in ordinary Matters of Course; and for such Business as could not be effected by the Stamp alone, without the Assistance or joining of other Officers therewith, either before or after putting the Stamp: And the Lord Treasurer was rather induced to give way thereto, because he had understood that the Lord *Burleigh*, when Lord Treasurer, made use of the like; and for that Stamps are in use in other Offices at present: Yet, if the Lord Treasurer had ever conceived, or been informed, that it had been unlawful or unfit, he should not have used it: Also he directly affirmeth, That, by the Use thereof, neither the King’s Majesty, nor the Subject, hath hitherto any Charge or Prejudice, but much Ease in their Dispatch.’

‘And as to *Dallison’s* unsettling the Office of Ordnance, that fell out eight or nine Years since; and the Supply set down by the Lords, *Anno 1617*, was four Years before the Lord Treasurer was in Office; neither did the Commission of the Treasury, nor his Predecessors, pursue any Point thereby directed; but it lay wholly neglected, and now only revived against the Lord Treasurer, who never saw it but in this Parliament: And for the Book made up by the Commissioners of the Navy, in *Anno 1620*, for supplying the Stores and future upholding of the Office of Ordnance, (tho’, being the last of the three Settlements mentioned in the Articles, it might be sufficient to suspend both the former) it was so far from being an Establishment to govern the Office by, that all the Officers have, and still do oppose it, and protest against it to this Day; so as there being only Propositions

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without Resolutions, and no settled Rule of Establishment and Direction, why should the Lord Treasurer be bound to keep it? Or why the Breach thereof be made his Fault now, when it was broken and neglected in his Predecessor's Time, who was then the only proper Officer to have put it in Execution, the now Lord Treasurer being but one of the Propounders of it.'

' Notwithstanding, he humbly conceives, and hopes to prove clearly, that there hath been no such wilful Negligence as is alledged; for tho' it be true, that the Officers of the Ordnance, always opposing that Book of the Commissioners, would never sue out the two Warrants thereby required, the one of 13,640 l. 14 s. 2 d. for Supply of the Stores, and the other of 3000 l. *per Annum* for the Ordinary; yet there have been other Privy Seals of the same Nature sued out, whereupon hath been issued to that Office, since that Book of the Commissioners was delivered, as follows, *viz.* for the Supply of the Stores, 11,096 l. 17 s. 6 d. which Sums want not much of the Commissioners Preparations, considering that the ordinary Quarter-Books are yet unpaid for a Year and a Quarter; all which argue no wilful Negligence in the Payments, howsoever the Officers have disposed of the Monies; nor any great Unfurnishing of the Stores, which, if they have less Proportion of some Stores of Provisions than were set down in the Commissioners Books, yet they have more of other Stores of Provisions, which have since been thought more useful and more necessary.'

As to what concerns neglecting the Supplies for Gun-powder, the Lord Treasurer saith, ' That the Bargains with *Evelyn* were made in the Lord *Mandeville's* Time, who continued in the Office the first five Months after; in which Time *Evelyn* served in Powder for the first three Months; but, getting no Money for it, made a Stop of his Delivery, according to the Liberty of his Contract: So that the same was broken in the Lord *Mandeville's* Time, and left wholly in Distraction to the now Lord Treas-

Treasurer, with a Debt for three Months Powder, As. 22. James 2. 1624. delivered as aforesaid; his Predecessor not paying one Penny upon that Contract in all that Time.'

'Neither did that Bargain with *Evelyn* suffer any small Interruption, by the continual Complaints stirred up against him by Mr *Sadler*, and new Propositions made by him for settling the Powder-making otherwise; whereby *Evelyn's* Contract stood under Question, and both the Lord Treasurer, and Mr Chancellor, and the Commissioners of the Navy, had several Times the Trouble to examine the same; the Lord Treasurer having a Purpose to bring *Evelyn* to Account for the Profit, made by him, of the Surplusage of the Price of the Powder put to Sale: By this Means, and by reason of other Mishaps, of blowing up the Powder-Mills by Fire, *Evelyn* grew discouraged; and the Service was neglected, till *Sadler's* Suggestions were found frivolous, which was near a Year's Interruption of the Service.'

'Besides, when the Lord Treasurer enter'd, he found in the Stores but one hundred and sixteen Lasts odd hundreds of Powder; and, the 20th of *March* last, he left in store above one hundred and forty one Lasts, notwithstanding the great Expence of Powder, upon Extraordinaries, in the now Lord Treasurer's Time, which also might have been one hundred ninety four Lasts, if the Lord *Mandeville* had settled and maintained the Contract in his Time; by Addition of his five Months Provision, and the three Months which he left the now Lord Treasurer to pay for; whereas the whole Proportion of Gun-Powder, assign'd by the Commissioners of the Navy's Book to be in store, was but one hundred and forty three Lasts of Powder; and good Reasons given wherefore there should be no more.'

'Lastly, It will appear, by comparing the Quantity of Powder, paid for by the now Lord Treasurer, with the Time before, that his Lordship had paid for as much, in this short Term of two Years and a Half, as hath been paid for in the next seven Years before; so as never, in the King's Time,

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An. 22. James I. 1624. were the Stores so well furnished with Powder for Quantity and Goodness, as they are now ; and yet never more want of Money in the Exchequer these twenty Years, than hath been in the now Lord Treasurer's Time.'

To the last Article of the Charge, about the Bargain for the Land which was Sir *Roger Dallison's*, the Lord Treasurer saith, ' That he hath not made any unlawful Bargain for the Lands of the said *Dallison* ; neither hath he paid for the said Lands with making of Baronets, or freeing Copyholders, or any other Suit to the King, as by that Article is pretended ; but hath really paid for the same in Money and Money's worth, out of his own Estate, to the full Value of the Lands and more : And, for more full Declaration of the Truth, he saith, That the said Sir *Roger Dallison* being indebted to the King in 13,062 l. 4 s. 10½ d. whereof Sir *Thomas Mounson*, his Surety, was found Debtor 3100 l. the said *Dallison's* Lands were extended for 9962 l. 4 s. 10½ d. thereof, and the said Sir *Thomas Mounson's* Lands for the said 3100 l. and these so extended, together with the said several Debts, were granted by his Majesty's Letters Patent the 20th of July, 18. *Jacobi Regis*, unto *Francis Morrice*, and other Officers and Creditors of the Ordnance, for 13,062 l. owing to them by his Majesty ; with a special Command to the Lord Treasurer and Chancellor of the Exchequer, to make out such Writs and Process for the said Debts as should be required ; and, with a Covenant on the King's Part, that if, by reason of Incumbrances, they could not receive the same in convenient Time, then it should be paid unto them out of the Exchequer.'

' These Lands of the said Sir *Roger Dallison's* were so incumber'd by former Charges, that the said Officers and Creditors of the Ordnance could not raise, by the said Extent thereof, near so much as the bare Interest of the said 9962 l. 4 s. 10½ d. Parcel thereof ; and therefore did not conceive how it could give Satisfaction unto them for the said

9962 l. due Debt, long forborne; but that they must of Necessity have Recourse to his Majesty again for their better Satisfaction, according to his Majesty's Covenant contained in the said Lease, made unto them in that Behalf; and yet there was nothing allowed to relieve the poor distressed Lady of the said Sir *Roger Dallison* and her Son; whereupon the now Lord Treasurer, in July, 1621, being then but one of his Majesty's Commissioners for his Debts, was made acquainted by the said *Francis Morrice*, and other the said Officers and Creditors of the Ordnance, of their Intent and Purpose; and, being willing to do his Majesty the best Service he could therein, after divers Conferences, did come to an Agreement with them for their Interest in the said Extents, and to make them Payment of the said 13,062 l. for the same, as follows, viz. 1062 l. before the last Day of *November* following 1621, and the rest by 500 l. every six Months, at and after the Annunciation, 1623: After which Agreement made for the Extents, he not perceiving how he could make any Use thereof, unless he compounded also with such as had the Inheritance and other Estates in the said *Dallison's* Lands, did deal with some of them for the same; and then came to a second Agreement with the said *Francis Morrice*, and the rest of the Officers and Creditors of the Ordnance, to convey to them an Estate, which he then had for nine or ten Years to come, in the Petty Farms of Currants and Wines, of the yearly Value of 1400 l. (and worth 7000 l. and more, to be sold) which he did grant, and they did accept in full Satisfaction of the said 13,062 l. 4 s. 10½ d. and for their Interests in the said Extents accordingly.'

'Not long afterwards, the Lord Treasurer, being desirous to free himself of any further Trouble or Care, by reason of many other the Incumbrances which were upon the said Lands, did, in or about *November*, 1621, agree with Sir *Arthur Ingram*, to deliver the said Lands, with other Lands to him the said Lord Treasurer, in the Co'

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York, unto the said Sir *Arthur Ingram*, in Exchange for other Lands of his, and to give unto him 9000 l. in Money, for the compounding and freeing the said Estate and Incumbrances, which were upon the said Lands, late *Dallison's*, and of a Lease he had of one *Anthony Meers*, of other Lands intermixt with the said *Dallison's* Lands, esteem'd of the yearly Value of 400 l. *per Annum*; of which 9000 l. the said Lord Treasurer, afterwards, in *February* and in *March* 1621, by the Consent of the said Sir *Arthur Ingram*, did pay unto Sir *Thomas Mounson*, Knt. for his Interest in *Dallison's* Lands, the Sum of 3000 l. besides the freeing of his the said Sir *Thomas Mounson's* own Lands of the said other Extent, for the said 3100 l. and all the Residue of the said 9000 l. he the said Lord Treasurer hath paid and satisfied, as it hath been required by the said Sir *Arthur Ingram* accordingly; which said several Sums of 7000 l. and 9000 l. amounting together to 16,000 l. are more than the said Lease and Lands are worth, at and from the Time of the said Agreement for the Exchange, so made between the said Lord Treasurer and the said Sir *Arthur Ingram*: And thereupon the Lady *Dallison*, and Sir *Thomas Dallison*, her Son, upon a Composition made with them by the said Sir *Arthur Ingram*, did, in *February* 1621, make an Assignment of the said Lease, to certain Persons named by the said Sir *Arthur Ingram*, in trust for his Use; and, since the said Agreement and that Time, the Lord Treasurer had no more to do therein than as the Duty of the Place requires, and (as he hath been advised by his Majesty's learned Counsel) convenient and fit to be done on his Majesty's Behalf: And therefore, as touching the rest of the said last Charge, That the Lord Treasurer having agreed with Sir *Thomas Dallison*, and the Officers of the Ordnance, he, to gain, indirectly, and by oppressive Means, an Estate which Sir *Roger Dallison* had passed to Sir *Richard Smith* and Sir *John Davy*, did set on Foot an Outlawry of Sir *Roger Dallison's*, and thereby dispossessed Sir *Richard Smith* and Sir *John Davy*, who had been in Possession,

by

by a Trial at Law, using the Power of his Place, An. 22. James I. 1624. and Countenance of the King's Service, to wrest them out of a Lease and Estate of great Value, the Lord Treasurer saith, The same is wholly mistaken; and that the Truth is, That the said Sir *Richard Smith*, having a Conveyance of all the Freehold Lands which were the said Sir *Richard Dallison's*, in *Scotten*, as a Mortgage for Payment of 1300 l. and the said Sir *John Davy* having an Assignment of the said Lease, as a Mortgage for the Payment of 600 l. by Year, for ten Years, upon a very hard Contract for Money, he the said Sir *Richard Smith*, long before the said Treasurer had any Thing to do with the said Lands or Lease, was dispossessed of Freehold Lands, by virtue of the said Extent, for the King; and, after such Time as the said Lord Treasurer had so bargain'd and agreed with the said Sir *Arthur Ingram*, and had left the said whole Business to him as aforesaid, it was found that the said Sir *Roger Dallison* stood outlawed, after Judgment, at divers several Men's Suits, whereby the same Lease and Interest was in his Majesty; by Means whereof some Difference grew between the said Sir *Richard Smith*, Sir *John Davy*, and the said Sir *Arthur Ingram*, which the said Treasurer used the best Means he could to reconcile; and, to that end, endeavoured to have the same arbitrated and ended by Sir *Thomas Savage* and Sir *Nicholas Forrescue*, Knights: But their Travel and Pains therein taking no Effect, after some Suits in the Prerogative Court, the Exchequer, and Common Pleas, between Sir *Richard Smith*, Sir *John Davy*, and Sir *Arthur Ingram*, in Conclusion (by and with the Consent of all Parties) the said Differences were heard and ended by Sir *Henry Hobart*, Knight and Baronet, Lord Chief Justice of the Common Pleas, and by the rest of the Justices of the same Court; by whose Mediation and Order, there is to be paid to the said Sir *Richard Smith* and Sir *John Davy*, in satisfaction of their Estates and Interest in the said Lands and Lease, over and besides other great Sums of Money by them formerly received, the Sum

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Sum of 3000 l. And touching the Charge of the Contract, about paying the 8000 l. old Arrears, the Lord Treasurer saith, That all the 8000 l. was not old Arrears, as is pretended, for that 3,800 l. thereof was then newly due by Quarter-Books, for certain Quarters ending at *Midsummer*, the next before the said Year of our Lord 1621. And also saith, That his Promise therein was made before he became Lord Treasurer; and that Promise was but to do his Endeavour to get the 8000 l. paid; the same being a just and due Debt owing to about 100 poor Families, whose pressing Necessities would have forced him, after he came to the Place of Treasurer, to have given them Satisfaction, if he had made no such uncertain Promise before; and the said Debt was paid at thirteen several Times, by several Portions, as Money could be best spared, between *March* 1621, and *May* 1623; and the King's Majesty was so far from being prejudiced by the Lord Treasurer's Dealing in this Bargain, that his Majesty was thereby eased from the repaying of the said 13,062 l. 4 s. 10½ d. according to the said Covenant: And, to make it appear that no Oppression or Power was used in this Purchase, for any private Benefit, or otherwise, nor that the same was paid for by making of Baronets, and Suits to the King, as is pretended, the said Treasurer will undertake, and freely offereth, that the Lands shall be conveyed again to whom this Honourable House shall appoint, upon Payment of the said 9000 l. and reassuring of his said Leases and Interests in the said Petty Farms, with Repayment of the Monies received upon the same. It being also apparent by his Declaration, That if any such Suits, Oppressions, or other hard Measure, had been offered touching the said Lands or Lease, as is alledged in the said Charge, the same were no Way done by the Lord Treasurer, or by his Privy or Direction, or whilst the said Lands remained in his Hands, which was not for above five Months; so as the same can in no Manner concern the Lord Treasurer, neither

doth

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doth he know of any Thing done therein by any other, but what hath been just and lawful.' An. 22. James I.
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' And as to the Baronets, the same nothing at all concerneth this Matter ; but was a Grace of the King's Majesty, (upon the Suit of a Nobleman, who was assisted by the Lord Treasurer) which he was pleased to confer upon Sir *Thomas Mounson*, in regard of the Loss of his Office of Hawkes ; and the same taking no Effect, his Majesty, upon the said Sir *Thomas Mounson*'s late Petition, was pleased, in lieu of the Baronets formerly intended him, to grant another Suit for the compounding with certain of the Copyholders in *Wakefield*, for the Value of 50 l. by the Year ; whereof as yet he hath received no Fruit at all.'

The HUMBLE ANSWER of the said LORD TREASURER to the Addition of his CHARGE received from the Most Honourable Court of the Higher House of Parliament, on Thursday the 29th of April, 1624.

TO that Part which concerns him, as he was Master of the Great Wardrobe, the said Treasurer saith, ' That he held that Office for the three Years mentioned in the Charge, and that, within that Time, he did receive the ordinary Assignment of 20,000 l. *per Annum*, or thereabouts ; wherein, he conceives, he did no ill Service to the King when he did reduce the vast Charge of that Office to 20,000 l. *per Annum* ; and, by three Years Experience, to shew his Majesty the Means how that 20,000 l. might be again reduced to 12,000 l. which, he conceives, is no Argument that he hath brought that Place to any Disorder or Confusion, as, in a Generality, is objected.' The Lord Treasurer's Answer to the additional Articles of his Charge.

' It is true that he made no Account, for his Time, neither for the Wardrobe, nor for the Queen's Funeral ; neither was there any Cause why he should so do, for that, by his Majesty's Contract with him for the Wardrobe, he was to discharge the ordinary Charges thereof for 20,000 l. at his

An. 22. James I. own Hazard ; and, for the said Funeral, having
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Warrant, by Privy Seals, to receive 20,000 l. he received but the Sum of 13,500 l. and yet saved some Part thereof, besides what he yearly saved upon the ordinary Allowance of the Wardrobe : With all which Savings he, from Time to Time, truly and particularly, acquainted his Majesty, not being willing to gain so much by the same as he found he did, without his Majesty's Privy and gracious Allowance ; who, being rightly and truly informed of all the Particulars, did, upon the said Lord Treasurer's voluntary surrendering of that beneficial Contract for the Wardrobe, for Advancement of his Majesty's Service, having therein an Estate for his Life, grant him a general Release and Pardon, by Indenture under the Great Seal of *England*, for all Matters concerning the said Office of the Wardrobe and Funeral aforesaid.

He further saith, ' That, in the Time of his being in that Office, he paid divers extraordinary Sums, which were not within his Bargain, upon several Warrants and Privy Seals ; as, 3000 l. to the Earl of *Carlisle*, about 2000 l. for new-furnishing *Ely* House for the *Spanish* Ambassador, above 1000 l. for a new rich Barge-Cloth, and other extraordinary Disbursements of about 1000 l. more ; for all which, amounting to 7000 l. or thereabouts, he never yet received, or demanded, any Allowance ; and, if any Man hath any Thing owing to him, in the Time that the said Lord Treasurer was Officer, (as he is well assured there is none, except some small Remains upon the Foot of some private Reckonings) the same are no way chargeable upon the King ; the said Lord Treasurer being their proper Debtor, and bound, by that Indenture, to discharge the same, which he hath been ever ready, upon their Demand, to do accordingly ; it being acknowledged by the Creditors of the Wardrobe, that they have been better paid and used in his Time, than either before or since. And, concerning the Charge, of his not duly serving the Lord Chamberlain's Warrants for Supplies, it may well be

be that some few Parcels, in some Warrants, which could not then be suddenly provided, were, upon that Occasion, or by some Fault or Negligence of his Servants, trusted in that Business, left unserved: But that neither hath been, is, or shall be, any Loss to the King; for he acknowledgeth it to be just and fit, that he should provide and furnish the same at his own Charges; tho' the Neglect of that little is no great Matter, considering he has disbursed so much for his Majesty in Extraordinaries, as aforesaid, for which he never yet had any Allowance.'

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' To that Explanation of the former Charge, concerning his not repaying the Merchants the Imposts due unto them, upon the Exportation of Sugars formerly imported, according to his Majesty's Letters Patent, of the 5th of *September*, 1610, the Lord Treasurer saith, That the Usage in that Particular is such now, as hath been ever since the Impost was first laid, without any Alteration by him, or any for him, in his Time; neither did any Merchant bring his Certificate, and make his Demand for that Allowance, according to the Form prescribed by these Letters Patent, as the Lord Treasurer is informed by those that farm the Imposts of him: And therefore there could be no Denial when there was no Demand made. And, besides, this is so far from being a Matter of Benefit to the Lord Treasurer, that the Farmers of the Impost under him, (who should have that Profit, if there be any) have been, and are willing to give the Merchants Content in their Desire, if they will petition his Majesty, and sue out a Privy Seal to warrant it; without which, it hath ever been understood, it could not be done in respect to the King's Interest therein, and in regard it never hath been allowed heretofore.'

' All which the said Lord Treasurer doth aver to be true in all Points, and shall be ready to justify and maintain the same, in such Manner as this Honourable Court shall award.'

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After these Affairs were all read, the Lords received a Message from the Commons, along with five Bills, importing ' That they desired a Conference with their Lordships, on the Subject of two other Bills, then before them; and, at the same Time, they presented a Petition to the House from divers Merchants, whose Names are thereunto subscribed, containing a Complaint against the Lord Treasurer, for an Imposition on Hops; which Complaint they humbly referred unto their Lordships, and compared the same with the Imposition laid on *French Wines*, even when their Merchandize was in the River of *Thames*: And affirmed that this had doubled the Oppression on the Merchants; for that the Archduchess, out of whose Country the Hops came, did thereupon lay new Impositions upon the Manufactures of this Land. Lastly, The Commons conceive, that this new Imposition on Hops was laid, without any other Warrant than the Lord Treasurer's Letter.'

This Petition from the Merchants was ordered to be read and was contained in these Words:

To the Honourable Assembly of the Commons House of Parliament.

THE HUMBLE PETITION of sundry MERCHANTS whose Names are here under subscribed,

The Merchants
Petition against
him.

MOST humbly shew, That whereas, in the Reign of the late Queen Elizabeth, continually, and untill the second Year of the King's Majesty's Reign that now is, Hops were rated for the Custom thereof at Twelve pence per every Hundred Weight. Afterwards, in the Time when the Earl of Salisbury was Lord Treasurer, there was imposed on Hops Six pence upon every Hundred, which was done by Consent of the Merchants; which said Custom and Impost hath continued so untill October 1622.

At the Time, when your Petitioners, and others, had brought into this Kingdom, and into the River Thames, great Quantities of Hops, the now Lord Treasurer wrote his Letter to the Custom House, That

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That no Entries of any Hops should be taken till farther Order from him; so that your Petitioners Hops lay long in Ships and Lighters, to their great Charges, and Damage of the said Hops; which was done without your Petitioners Knowledge, they nothing mistrusting any such Composition; so that before your Petitioners could be suffered to take up their Goods, they were forced to pay ten Shillings for every Hundred of Hops, over and above the Duty and Impost aforesaid.

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That divers Strangers of Flanders, and others, have received up their Goods upon Bonds, by reason of the Archduchess's Ambassadors; but divers of them have not yet paid their Monies, nor entered to pay, as they themselves have given forth in Speeches; notwithstanding the Petitioners, most of them, were forced to pay in their Monies, without any Favour, to their great and intolerable Loss and Hinderance; and others have entered into Bonds for the same, which are yet in Force.

That, by reason of the said Impost, so exacted from the Petitioners, and others, as aforesaid, there was a great Impost laid on in Flanders, in the Archduchess's Country, from whence the said Hops came, upon Fustians and other of our native Commodities; which have been to the great Loss of the Petitioners, and to the great Hurt and Prejudice of the Common-Wealth in general, and of no Benefit to his Majesty for the present; for that, since this great Imposition, there hath not come hither the twentieth Part of those Commodities as formerly.

The Petitioners humbly intreat the Honourable Assembly to take Consideration of the Premises, and to be a Means unto his Majesty that the said Petitioners may be repaid the said Money so exacted; and that the Imposts upon the Hops as aforesaid, which are still continued, may be reduced unto the former Rate of Eighteen-pence upon every Hundred Weight of the said Hops; whereby your Petitioners may be the better enabled to continue their Trade, which otherwise they must of Necessity desert. And further, that their Bonds, formerly entered into, may be re-delivered unto them to be cancelled.

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An. 22. James I. 1624. *May 3.* After some other Business done by the Lords, another Petition from the Lord Treasurer was exhibited to that House, and read in these Words;

To the Right Honourable Assembly of the Lords Spiritual and Temporal in the Higher House of Parliament.

The Lord Treasurer's Petition for Copies of the Depositions against him.

THE Lord Treasurer doth herewith most humbly present to your Lordships such Interrogatories, concerning the rest of his Charge, as he humbly desires his Witnesses may be examined upon; as well those formerly delivered to the most Honourable House, as those whose Names he now humbly presenteth to that Purpose hereunder written.

And since your Lordships have appointed Friday the 7th, peremptorily, for the Hearing of his Cause, his most humble Suit is, To know the Pleasure of this most Honourable House, concerning the Copies of the Depositions, if he may receive them in some convenient Time before, whereby to prepare himself for his just Defence against the Day appointed.

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The Names of the Witnesses annexed, and the Interrogatories being also read, it was ordered, That the Lord Treasurer should have Copies of all Depositions, taken on his Part, two Days before the Hearing. The Lord Keeper moved the House 'To consider of the Lord Treasurer's former Petition for Copies of the Depositions concerning him, which were denied because they were unseasonably prayed, his own Witnesses not being then examined; and whether their Lordships will not now think it fit that the Lord Treasurer shall have Copies of all Depositions before his final Answer; and the rather, because this may prove a leading Case to Posterity.'

The Lords referred the Consideration thereof unto the Lords Committees for Privileges, &c. who being withdrawn upon it, and returned, they gave in their Answer, as fit to be entered for an Order.

That

That in all Cases it is thought fit and just, that An. 22. James I. 1624.
 Publication be made a reasonable Time before the
 Party accused make his final Answer; and that, af- Which is granted.
 ter Publication, he may have Copies, freely, of all
 Witnesses, as well against him as for him.

May 4. This Day, amongst other Business, his
 Royal Highness the Prince signified to the Lords,
 ' That his Majesty's Pleasure was, the whole
 ' House should wait on him, To-morrow at Two,
 ' in the Banqueting-House at Whitehall.' And,

May 7. The Lord Keeper, removing from his
 Place to his Seat on the Earl's Bench, made a Re-
 port to the Lords of his Majesty's Speech to them, on
 Wednesday, the 5th of May, in the Afternoon: But
 because the said Speech, he said, was inimitable,
 his Lordship desired that he might read the same,
 which he did; and afterwards the Clerk read it
 also in these Words:

HIS MAJESTY'S SPEECH at Whitehall, to the Up-
 per House of Parliament, May 5. 1624, con-
 cerning the LORD TREASURER.

MY LORDS!

OF Mercy and of Judgment both, my Lords, my The King's
 Speech shall be unto you. There is a great Officer of Speech to the
 mine shortly to come before you, accused of divers Lords concerning
 Misdeemeanors. I am the Judge in whose Room you the Lord Treas-
 are to exercise Judgment; for as I am under God urer's Trial,
 in this Throne, so you are under me: Therefore I
 have been desirous that I might open myself unto you,
 anent this Matter and Occasion; and, as I have once
 said in a Parliament before to you, so will I promise
 to shew you, as in a Chrystal, my Heart out of my
 Mouth, in such sort as no false Heart or Tongue
 shall be able to blemish what I shall represent unto
 you (e).

It is my Judgment, next under God, which you
 are to exercise at this Time; and therefore, as a
 Judge instructs the Jury before the Prisoner departs
 from the Bar, so it becomes me to tell you how to carry
 your-

(e) *Anno Regni* 5. Vol. V. p. 185.

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*yourselfes in this great Business; and the Cause here-
of is this, because I am bound in Conscience to be care-
ful of your Carriage herein; for, if your Judgments
should fall contrary to my Approbation, I protest to
God it would be a great Misery to me, and a greater
Grief unto your Hearts.*

*Before the last Parliament, I never saw any Pre-
cedent of this Nature: In the last, against another
great Officer of mine there needed no Admonition from
me, because ye had Reum Conscientem; in this the
Party stands upon his Justification; and therefore ye
have more Need to take and examine it well. There
is no Doubt at all of your doing Justice; you are most
of you nobly born, the rest are noble by their Places;
you are the most honourable Jury of England; nor do
I intend further to instruct you, than to give your
Eyes, many Eyes see more than one, some Light into
this Matter. No King is the worse for the Advice of
his Council, nor shall you be for receiving my Advice
and Instruction.*

*In all Matters of Tryal where are Denials, two
Things are specially to be considered, the Verity of the
Fact and Greatness of the Guilt.*

*For the first, You cannot be too diligent in the
Search of the Verity of the Fact; for Sati^{us} est Reum
dimittere quam Innocentem damnare.*

*For the second, You are to consider duly the Quality
of the Offence; for, if your Punishment be far infe-
rior to the Crime, it is an Invitation to commit new
Offences. And, if it be over and above the Offence,
it is plain Injustice and Tyranny: Therefore your
Punishment must be ever bounded in Measure and
Moderation, according to the Quality of the Offence.
You will do, I am sure, what a Jury doth, for you
have taken a greater Oath than they; you have sworn,
upon your Honour, to me; by your Conscience, towards
God.*

*And here I shall give a Touch of two Things; first,
I shall speak of the Person of the Man, and then of
my Opinion of the Course which you are to hold in your
Judicature at this Time.*

For

For the Person of the Man; the first Acquaintance An. 22. James I. 1624. that I had with him was by the Lord of Northampton, (who is with God) who often brought him unto me a private Man, before he was so much as my Servant. He then made so many Projects for my Profit, that Buckingham fell in Liking with him, after the Earl of Northampton's Death, and brought him into my Service. For I profess it here openly, and I am glad he is not by to hear me, That, besides him, I never saw young Courtier that was so careful for the King's Profit, without any Respect, as Buckingham was. He found this Man so studious for my Profits, that he back'd him against great Personages and Mean, without sparing any Man. Buckingham laid the Ground and bare the Envy; he took the laborious and ministerial Part upon him, and thus he came up to his Preferment.

I was deceived if he was not a good Officer; he was an Instrument, under Buckingham, for Reformation of the Household, the Navy and the Exchequer; Buckingham setting him on, and taking upon himself the Envy of all the Officers. And he himself protested many a Time to me, That he had not been able to do me any Service, in the ministerial Part, if Buckingham had not back'd him in it. Hereupon I thought him the fittest Man for this Place; he had seen before the Abuses in the Exchequer, in the Navy, and in a thousand other Particulars.

I must therefore put you in mind of one Thing, and Justice forceth me so to do: He cannot but have a many Enemies; all Treasurers, if they do good Service to their Masters, must be generally hated, as Mons. Rosney was in France. And a Treasurer cannot oblige me more, than when I find Suitors beg from me, and pray me not to send my Reference to the Treasurer, because he gives them no good Answer.

Two Kinds of People are continually hated in Court, Treasurers and Ushers; because this latter must of Necessity put Disgraces upon Men, and the Treasurers must keep the King from Importunity of many Suitors. I pray judge not by the Affections of the People, nor by the Hatred of the People; you must avoid both

An. 22. James I. 1624. *these; and therefore Judges of old were painted blind.*

The second Thing I recommend to your Consideration is, That you look upon a sound Trial, so that the Offence be clear; and, in the next Place, when you find a Cause of Punishment, let it be within and not without the Limits of his Desert.

Now I shall recommend to you some Generals; not for his Respect or Particular, but my own, my Son's and Posterity's, and your own, my Lords, whose Part God knows when it may fall unto. Let no Man's particular Ends bring forth a Precedent, that may be prejudicial to you all and your Heirs after you; Precedents there are none of many Years, before this and the last Sessions. The Informers are the Lower House, and the Upper House are the Judges. If the Accusation come in by the Party wronged, then you have a fair Entrance for Justice; if by Men that search and hunt after other Men's Lives, beware of it, it is dangerous; it may be your own Case another Time. No Man can stand upright before God and Man, if every Act of his should be enquired after and hunted out by every Man, though it concerns him not.

The main Ground in an Information is this, The Party complaining should say, This Wrong he hath done me; if he hath corrupted Judicature in Judgment, or taken a Bribe to the Hurt of the Innocent; if, in Extortion, he hath wrested, by Violence, from the Party; here is a just Ground for an Accusation. But for every busy Fellow to turn Inquisitor is a Thing insufferable; how far it falls thus, in this Particular, I know not. Bribery, as I would define it, is where a Judge receives a Reward against the Innocent; Extortion is done, when Money is wrung from the Subject by the Greatness of a Man's Power, and by the Denial of Justice; Misdemeanor is, when a Man abuseth his Place, and oppresseth the poor Subjects. I have discussed this Point, and I do not doubt but, when he comes before you, you will hear him with Temper and Patience.

Now

Now, my Lords, I speak for Justice; if this Party have done so, after such an Example shewed the last Session, his Fault is double; for he came in upon a Reformation, and he discovered the Corruptions of others. This I would say to you, if I was to die this Hour: Errors by mistaking, God forbid that you should be rigorous in censuring them; but Errors that are wilful, spare them not.

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1624.

Some curious Men may say, peradventure, he might, in some Points, have done better; but this is not criminal in him: But if, by Deceit and Cozenage, by helping himself, he hath hindered my Estate, he is worse than a Devil. Treasurers cannot be barred from suing, and the King's Liberality no Man can controul. If he hath helped himself, with the King's Loss, I speak not for him.

Lastly, there are divers Things laid to his Charge, which were done with my Knowledge and Approbation; let him bear no Charge for that, for that is mine, and I must bear it. For if you question him for any such Thing, you punish me; if any Thing touches upon him in that Kind, either meddle not with it, or stay and know the Verity from me. I love my Servants, God is my Witness, but it is only for Virtue's Sake; and he is an unhappy Master that doth not love a faithful Servant. But, if there appear in any of them Falshood and Treachery, and Deceit under Trust, my Love is gone. If, of an Angel, he become a Devil, I will never excuse him: I will never maintain any Man in a bad Cause.

The Report of the King's Speech being made, which seems to serve as an Introduction to the Trial, the Lord Keeper observed further, 'That his Majesty said, he did not deliver this Speech out of any Suspicion of their Lordships, but only in Discharge of his Duty and Conscience.' Which the House ordered to be entered.

The Lord Treasurer being to appear this Day at the Bar, it was first agreed, That when his Lordship came he should kneel. And being brought to the Bar, by the Gentleman Usher, not having his

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1624.

The Lord Treasurer brought to the Bar ;

Staff in his Hand as Lord Treasurer, he kneeled untill the Lord Keeper willed him to stand up. Then Mr. Sergeant *Crew* came to the Clerk's Table, and opened the Charge against him to this Effect :

Where the Attorney General opens the Charge against him as Master of the Wardrobe.

THE Commons of *England*, being the general Inquisitors of the Sores and Grievances of the Kingdom, have presented their Complaint against this great Lord and Officer ; whereof, and of other Misdemeanors, their Lordships have before taken Cognizance. That he is to charge him, the Lord Treasurer, with Violation and Breach of Trust, in defrauding the King who trusted him ; and with Bribery and Oppression.

‘ That he would begin with his Lordship’s Misdemeanors in the Office of the Wardrobe ; and shew, That, heretofore, that Office being very expensive to his Majesty, by reason of the Charge and Provision of the King’s Majesty, for the Queen, for Prince *Henry*, the Queen of *Bohemia*, and the Prince’s Highness that now is, he, the said Lord Treasurer, inform’d his Majesty of the Greatness of his Charge, and that he would save his Majesty a great Part thereof ; whereupon he procured the Office to himself ; but he stood charged with nothing, save the ordinary Provision for his Majesty.’

‘ He is made Master of the Wardrobe, *Sept. 14. Anno 16. Jac. Regis.*’

‘ And, *Dec. 26. Anno 18. Jac.* the King reciting, ‘ Whereas we had certain Notice that Sir *Lionel Cranfield*, in the Execution of the said Office, hath so directly and carefully performed the said Trust, in that Behalf committed to him, as that, by the small Time of his Service there, great Sums of Money have been, and are likely, yearly, to be abated, in comparison of former Expences therein for some Years past ; and also that, by the Continuance of his Care and good Endeavours in the said Service, our former great yearly Expence of the Wardrobe hath been reduced within the Sum of 20,000 l. and yet with the

‘ Main-

‘ Maintenance of the former State thereof : And that of 20,000 l. assign’d for the Queen’s Funeral, he had received 15,500 l. and no more ; and that the said Sir *Lionel*, by his discreet and careful Performance of that Trust, hath, with the said 15,500 l. discharged the said Funeral honourably, and in such Sort as was requisite, and hath brought the said Charge within the Sum of 15,500 l. and yet there were black Cloths and Stuffs to the Value of 2000 l. or thereabouts, and some Part also of the said Money saved :’ The King, thereupon, grants him all that he had saved of 20,000 l. for the Year ended at *Michaelmas*, 1619, and for another Year ended at *Michaelmas*, 1620, the ordinary Charges deducted ; for which Sums he agrees to discharge the ordinary Charge of the Wardrobe ; and the King grants the black Cloths, Stuffs, and Monies unto the said Sir *Lionel*, remaining of the said 15,500 l. for the Funeral, for his Disbursements for the Ordinary of the Wardrobe, for which he was to account ; but not for the Surplusage which he saved of the 20,000 l.’

‘ *Dec. 27. Anno 18. Jac.* the King makes the same Recital, *ut supra* ; and, having given the Surplusage for two Years before, doth now continue it for Life, yearly at *Michaelmas*, upon his Account, for the Wardrobe, the necessary Disbursements deducted, and gives him the Surplusage without further Account.’

‘ *Jan. 11. Anno 19. Jacobi Regis*, the Lord Treasurer surrenders his Patent.

Note, He got, in these three Years, as shall appear hereafter, 8000 l. *per Annum*, and had 6000 l. given him at his Farewell. *In toto*, 30,000 l.’

‘ *Jan. 18. Anno 19. Jac. Regis*, the King pardons him all Sums of Money received by him for the Funeral or Wardrobe ; and he covenants to discharge the King of such Debts as were due by him for the Wardrobe. By this it appears how the King trusts the Lord Treasurer, being Master

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of the Wardrobe, and what Expectation the King had of his extraordinary Service ; that the Expences should be much abated and diminished, and yet the State of the Wardrobe maintained by competent and sufficient Supplies, and that what the Supplies were, should appear upon Account ; and thereupon the Account was directed by the Patent.'

' And now see, my Lords, how the Wardrobe is brought into Confusion, and how far it is from the old State thereof ; which, by the Patent of my Lord, should have been maintained.'

' And, in this, will appear unto your Lordships plainly,

Breach of Trust and Fraud.

' The Warrants to be served for the Wardrobe, came from my Lord Chamberlain, from the Master of the Household, and from the Groom of the Stole.'

' The Warrants and Emptions thereupon were usually, heretofore, entered in the Clerk of the Wardrobe's Books, that the Provisions and Particulars supplied might appear ; but, in my Lord Treasurer's Time, no Warrants are brought in or entered ; no Emptions enter'd, nor Book of Expences kept by the Clerk. as it ought to be.'

' The Clerk should have surveyed the Parcels ; but could not, thro' my Lords Default ; neither is there any Account made as ought to have been : And all this is contrary to the Patent, to the Prejudice of the King, and of the Officers and Workmen in the Wardrobe. And, to the end his Proceedings in that Office might not be discovered, this ensued further upon it, That the Warrants were served short, and many not served at all ; those that were served, were base and ill, stuffed with great Delay and long Suit ; and yet the Suitors for the same were slighted by my Lord and his Officers.'

' And Altho' my Lord had his Money impressed to him, yet he made slack and slow Payments, with great Abatements of the Prices formerly allowed. And, at my Lord's departing from the Office, in *January, Anno 19. Jac.* he gets a Pardon
for

for all he hath received, without any Account, and obtained a Lease of the Sugars, for a Recompence of his Surrender of that Office.' An. 21. James I.
1624.

Mr Sergeant *Crew* having thus far opened the Charge; the Clerk, by his Direction, read the Depositions of Witnesses taken here to prove the same, viz.

*The Examination of Sir BEVIS THELWAL, Knt.
taken the 26th of April, 1624.*

He deposeth to the first Question, 'What Money Depositions and
Examinations of
Witnesses there-
upon.
' was assured for Provisions for the King's Service
' in the Wardrobe, ordinary and extraordinary, du-
' ring the Time the Lord Treasurer was Master
' there? I say, that I cannot certainly inform your
' Lordships; for that the Warrants for the Empti-
' ons, that were usually entered in the Clerk of the
' Wardrobe's Book, were not brought in at all by the
' said Master of the Wardrobe, during the Time of
' my Service in the said Office, as should have been.

' For the second Part of the Charge, Whether
' any Thing were put upon the Extraordinary,
' which was heretofore used to be furnished upon
' the Ordinary? I cannot tell; for that there was
' no Account made by the said Master of the Ward-
' robe, (which should have been done) tho' he was
' very often solicited by me so to do, and seemed
' not to believe me, that he, by the Course of his
' Office, ought so to do; for that, as he said, he
' had agreed with the King's Majesty, at a certain
' Rate, to furnish the Wardrobe.

' For comparing the Expences of the said Lord
' Treasurer, for Ordinary and Extraordinary, with
' the King only, with the Expences of former
' Times, I cannot make any direct Answer; for
' that the said Master made no Account as he ought
' to have done.

' To certify how the King's Houses were fur-
' nished during the Time the Lord Treasurer was
' Master of the Wardrobe, and how much worse
' than

An. 22. James I. 1624. ' than in former Times, I cannot certainly inform
' your Lordships.

' To certify the Charge of the Funeral of Queen
' *Anne*, I cannot inform your Lordships thereof ;
' for that it was before my Time, and there was
' no Account made thereof, nor Entry thereof, as
' heretofore was wont to be.

' To certify whether all the Provisions of the
' Wardrobe, during all the Time the Lord Trea-
' surer was Master thereof, are paid, I heard that
' divers of the Creditors are not paid ; but how
' much is behind will best appear by the Examina-
' tions of the Creditors.

' For the Abuse of the Wardrobe, committed
' during the Time of the Lord Treasurer being
' Master there, I say, That he hath altered the
' Frame and Course of that Office, to the Preju-
' dice of the King's Majesty, and the Artificers
' and Creditors that furnished the said Wardrobe ;
' and, as I conceived, to the end his Proceedings in
' the said Office might not be discovered.

' And where there was some Doubt made by
' the said Master, of some Things concerning the
' said Office, I did endeavour to give him Satis-
' faction therein, but could not without the View
' of some Books of Accounts of the said Office,
' which, by his Direction, I brought unto him
' long since : These he commanded me to leave
' with him to peruse ; but I could never have them
' again, tho' myself, and my Servant in that Office,
' very often attended and solicited his Lordship
' for them.

' For the Provisions to be employed in the said
' Office, by setting on Work of Arras-Men and
' Taylors, the antient Use of that Office was, That
' the Clerk should take Account of all that was
' brought in, and keep the same, and see it employed
' for the King's Service by the said Workmen, and
' see what Time they began their Work and left it ;
' but the said Master took away the Key of that
' Room where those Things were kept, and com-
' mitted the same to one *Henry Ayres*, his Servant,
' who

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' who kept the same during the Time of his be- An. 22. James I,
1624.
 ' ing Master there; so as I could not perform the
 ' Service I ought to have done in that Behalf.
 ' For the Abuses of the Queen's Funeral, I can
 ' say nothing of my own Knowledge, for it was
 ' before my coming into the Office; but he-
 ' heard that the Cloth that was provided by the said
 ' Master was bad, and much complained of by
 ' many.

BEVIS THELWALL.

Jo. Lincoln, C. S.

Theo. Howard.

G. Cant.

Fra. Russell.

Tho. Gov. & Litch.

Henry Danvers.

Arthur Bath & Wells.

Robert Spencer.

*The Examination of CHARLES STANLEY, Clerk
to the said Sir Bevis Thelwall, taken the same
Day.*

' An Estimate of the yearly Liveries paid by
 ' the Lord Treasurer, with Fees and annual Pen-
 ' sions, with the Arras-Menders and other Work-
 ' men's Pay, yearly payable out of the Great
 ' Wardrobe.

	l.	s.	d.
' Liveries by virtue of Letters Patent	53	0	4
' Liveries by virtue of Warrants } Dormant	2867	17	6
' Fees, Vestments, and annual Pen- } sions	350	6	0
' Arras-Menders Pay, and other } Workmen's Wages, with the } Stuff for one Year.	540	9	0

Sum Total 3811 3 10

' As to what Monies was otherwise disbursed by
 ' the Lord Treasurer, for and towards the Charge
 ' and Expence of the Provisions of the Great
 ' Wardrobe, I know but in part; but the Credi-
 ' tors can best satisfy what several Sums they have
 ' received; and his Servants, *John Baron* and Mr
 ' *Catchmay*

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1624.

‘ *Catchmay* can best tell what Sums of Money were
‘ received for the Provisions of the Great Wardrobe,
‘ and what was paid out ; for they received all, and
‘ paid all, for ought I know.

‘ What Warrants he received I know not, nor
‘ what was furnished for them, either for ordinary
‘ Service or extraordinary ; but his Man *Colbeck*
‘ should best certify who received the Warrants, and
‘ made the Provision of those Things that were
‘ served.

‘ For the furnishing of the King’s House I know
‘ nothing ; but the Keepers of the several Stand-
‘ ing Wardrobes, and the Officers of the Removing
‘ Wardrobe, can best certify what was served by
‘ him.

‘ For the Funeral of the late Queen *Anne*, as I
‘ have heard, he had an Allowance of 20,500 l.
‘ which my Lord *Brook*, as I suppose, can best cer-
‘ tify, who was then Chancellor of the Exchequer.

‘ And of 13,100 l. or near thereabouts, I know
‘ was, by him, disbursed for the said Funeral, and
‘ more I know not of ; for that Part of the Pro-
‘ visions was provided by himself and Servants.

‘ For the Provision of Canvas, Leather, and
‘ Thread, with other needful necessities for the
‘ mending and lining of rich Hangings of Arras
‘ and Tapestry, which came from any of his Ma-
‘ jesty’s Houses to be mended or lined in Places de-
‘ fective : For the Charge thereof I can say nothing
‘ for these three Years ; for, when he came first to
‘ be Master of the Great Wardrobe, he caused one
‘ *Henry Ayres*, his Servant, wrongfully, to take a-
‘ way the Key of the Store-house, wherein Provi-
‘ sions of Canvas, Leather, Thread, and other
‘ Necessaries, were kept, from the then Clerk of
‘ the Great Wardrobe ; who yearly, with his
‘ Lordship’s Predecessors, ever had the Custody
‘ and delivering out of all Necessaries, and kept an
‘ Account of what Suits of Hangings came to be
‘ mended, and what Necessaries was needful to be
‘ expended ; and as *Ayres* had the serving thereof,
‘ in

in all this Time, so that an Account thereof could not by the Clerk be kept, according to the antient Custom of that Office, the Lord Treasurer had digress'd from the antient Customs of that Office, and furnished Things himself, and served them without the Privy of the Clerk; who, according to antient Custom, should have the View, with the rating and prizing of them, with an Allowance of all Necessaries served for his Majesty's Use, to be demanded by the Creditors, by virtue of Warrants sign'd by the King's Majesty; which my Lord Treasurer paid them without Warrant, by the Creditors own Bills, contrary to the antient Custom of that Office; and which, till this Time, was ever, by all former Masters of the Great Wardrobe, observed, by having Warrants drawn every Half-Year.

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1624.

CHARLES STANLEY.

G. Cant.	Theo. Howard.
Fo. Linc. C. S.	Fra. Russell.
The. Cov. & Litch.	Henry Danvers.
Arthur Bath & Wells.	Robert Spencer.

The Examination of JOHN BARON, *taken the 27th of April, 1624.*

The said Examinant saith, ' That while the now Lord Treasurer was Master of the Wardrobe, this Examinant did keep a Book, wherein were entered his Lordships Receipts and Payments, as well of such Things as concerned the Wardrobe, as for such as did otherways concern his Lordship. *And saith.* Because it was conceived his Lordship held that Office upon Certainty, therefore there was no Distinction made, nor certain Account kept of that which concern'd the Wardrobe, divided from his Lordship's other Business. *And saith,* That the said Book is now in the Lord Treasurer's, and not in this Examinant's

An. 22. James I. 1624. *nant's Custody; nor hath been in this Examinant's Custody for two Years and a Half past.*

JOHN BARON.

G. Cant.

Robert Spencer.

H. Mandeville.

W. Say & Seal.

Tho. Wentworth.

The Examination of RICHARD COLEBECK, taken the 26th of April, 1624.

The said Examinant saith, ' That he served the Lord Treasurer in the Business of the Wardrobe, and that in all the Time his Lordship was Master of the Wardrobe, there were no Accounts made by his Lordship, nor kept for him, of the Expences of the Wardrobe, neither were there any Book kept, wherein were entered the Expences of the Wardrobe; the Reason whereof was, because this Examinant heard his Lordship was not to hold that Place upon Account; but, saith this Examinant, did buy Provisions of Mercers and others for his Lordship, and then delivered such of them as were to be delivered for the King's Use into the Wardrobe; and when the Mercers and others brought their Bills, he, this Examinant, presented the same to his Lordship, who took Order for their Satisfaction. And saith, He thinketh that some few are yet unsatisfied in part; as, namely, Mr. Henshaw, Mr. Ferrers, Mr. Latham; but doth not remember any others.

RICHARD COLEBECK,

G. Cant.

Robert Spencer.

Tho. Cov. & Litch.

W. Say & Seal.

Arthur Bath & Well's.

Theo. Howard.

Tho. Wentworth.

' To prove the Defects in serving of Warrants, a true Note of such Wardrobe Stuff, as remaineth unserved, by the Right Honourable the Earl of Middlesex, Lord Treasurer of England, in the Time
of

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of his being Master of the Great Wardrobe; which An. 22. James I.
1624. Stuff was then commanded by Warrants for his Majesty's Service, and are now much wanting; for the which his Lordship is to be answerable unto his Majesty.

Removing Wardrobe, per Warrant, dated in June, 1620.

' <i>Imprimis</i> , Chairs of Velvet, garnished with Gold Lace and Fringe	} ij
' <i>Item</i> , Cushions of Velvet suitable	iiij
' <i>Item</i> , High Stools suitable	iiij
' <i>Item</i> , Counter Points of Tapestry	xxxiiij
' <i>Item</i> , Bed-Ticks, and the new-drawing of them, with Augmentation of Feathers	} xvij
' <i>Item</i> , One Pair of <i>Milan</i> Fustians for the King's Bed	} ij
' <i>Item</i> , One Pair of Cloth Blankets	ij
' <i>Item</i> , Tenter Hooks	ciiij
' <i>Item</i> , Foot Stools suitable	ij
' <i>Item</i> , Hammers	xviiij
' <i>Item</i> , Writing Books	ij
' <i>Item</i> , Reams of Writing Paper	iiij
' <i>Item</i> , Black Jacks	iiij
' <i>Item</i> , Brass Candlesticks	iiij

JOHN COTTON.

Removing Wardrobe, in June 1621, per Warrant.

' <i>Imprimis</i> Window Curtains of Damask	v
' <i>Item</i> , Small Carpets of <i>Turkey</i> making	xix

JOHN COTTON.

*Standing Wardrobe, Hampton Court, per Warrant,
dated January 1620.*

' <i>Imprimis</i> , Four Pair of Fustians for the King's Bed	} viij
' <i>Item</i> , Quilts of Holland and Fustian filled with Wool	} ii j
' <i>Item</i> ,	

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An. 22. James I. 1624.	‘ Item, One Pair of large Blankets for the King’s Bed	}	ij
	‘ Item, Counter Points of Tapestry		xxx
	‘ Item, New Beds of <i>Brussels</i> Tick, to be filled with Feathers	}	xxx
	‘ Item, Pillows of Down		xv
	‘ Item, Pillow-Beers		xv
	‘ Item, Bare Hides of Ox Leather		ijj

JOHN WINYARD.

Theobalds, per *Warrant*, in May 1621.

‘ <i>Imprimis</i> , Small Carpets of <i>Turkey</i> making	}	xx
‘ Item, Traverfies of Crimfon Taffety		ij
‘ Item, Necessary Stools of Velvet to be garnished with Fringe, and Lace of Gold and Silk	}	ijj
‘ Item, Window Curtains of Silk		vi
‘ Item, Bare Hides of Ox Leather		ij
‘ Item, Hammers		ij
‘ Item, Brushhes		iiij
‘ Item, Tenter Hooks		cvj

April 26. } OTTIWELL WORSLEY.
1624. }

‘ All the Parcels above mentioned to be unfer-
ved, are Parcels of the Ordinary of the Office of
Wardrobe.

WILLIAM GEORGE.

<i>G. Cant.</i>	<i>Theo. Howard.</i>
<i>Tho. Gow. & Litch.</i>	<i>Henry Danvers.</i>
<i>Fra. Russell.</i>	<i>Robert Spencer.</i>
<i>Arthur Bath & Wells.</i>	

‘ To prove that his Lordship served in base and
flight Stuff, and that his Lordship slighted and de-
layed the Officers, that sued to have the Warrants
of the Lord Chamberlain served for the King’s or-
dinary Wardrobe.’

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The Examination of JOHN COTTON, taken the 26th An. 22. James I.
1624.
of April, 1624.

*The said Examinant saith, ' That, during the
' Time the Lord Treasurer was Master of the
' Wardrobe, this Examinant was Yeoman of the
' Removing Wardrobe, and was, and is yet, Keeper
' of the Standing Wardrobe at Whitehall. And
' saith, That the Warrants, which were sent in
' that Time by the Lord Chamberlain, for Neces-
' saries concerning the Offices, which this Exami-
' nant served in, were but few; and yet a great
' Part of them were unserved, as appears by a
' particular Note thereof, subscribed by this Exa-
' minant, and remaining with the Lords Com-
' mittees: And those which were served, were, for
' the most Part, served with baser and meaner
' Stuff than had been accustomed. And saith,
' That he hath many and often Times made Suit
' to the Lord Treasurer to have Warrants served,
' but could not prevail with my Lord; who, for
' the most Part, put it off to his Man Colbeck.
' And this Examinant further saith, That Colbeck
' did not, as it was fit, give Dispatch to the Ser-
' vice; whereupon this Examinant, and those to
' whom it appertains, made instant Suit, but in
' vain.*

JOHN COTTON.

<i>G. Cant.</i>	<i>Tho. Wentworth.</i>
<i>Tho. Cov. & Litch.</i>	<i>Theo. Howard.</i>
<i>Robert Spencer.</i>	<i>W. Say & Seal.</i>

*The Examination of OTTIWELL WORSLEY, ta-
ken the 26th of April, 1624.*

*The said Examinant saith, ' He hath many
' Times acquainted the Lord Treasurer, late Ma-
' ster of the Wardrobe, with the Warrants which
' had been directed from the Lord Chamberlain
' unto the Lord Treasurer, when Master of the
' Wardrobe, for serving of Provisions upon the
Or-*

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An. 22. James I.
1624:

Ordinary of that Office for his Majesty's House
at *Theobald's*; and hath so much, and so often;
press'd him thereabouts, that his Lordship hath
told this Examinant, He was importunate. *And*
saith, That he hath, about a Week past, attend-
ed him thereabout; and his Lordship hath con-
fess'd, that those Defects ought to be supplied by
him the said Lord Treasurer. *And saith*, The
Defects appear in another Paper, now delivered
to the Lords Committees, subscribed by this Ex-
aminant. *And saith*, He was once threatened;
by the Grooms of the Bed-Chamber, to be sent
to Prison for not furnishing those Necessaries;
whereupon he repaired to the Lord Treasurer;
but was slighted both by him and his Servants;
And saith, That those Things, that were served,
were not of that Goodness as hath been accu-
stomed, and was fit.

OTTIWELL WORSLEY.

<i>G. Cant.</i>	<i>Fra. Russell.</i>
<i>Tho. Cov. & Litch.</i>	<i>Henry Danvers.</i>
<i>Arthur Bath & Wells.</i>	<i>Robert Spencer.</i>
<i>Theo. Howard.</i>	<i>W. Say & Seal.</i>

The Examination of JOHN WINYARD, taken the
26th of April, 1624.

The said Examinant saith, ' That of such War-
rants as came to the now Lord Treasurer, while
he was Master of the Wardrobe for *Hampton-*
Court, a great Part is yet unserved; the Parti-
culars whereof appear in another Note, subscri-
bed by this Examinant, and remaining with the
Lords Committees. *And further saith*, That
those Provisions, which were served upon those
Warrants, were, many of them, very slight and
mean. *And saith*, That he hath many Times
importun'd the Lord Treasurer for serving what
remains unserv'd of those Warrants; and his
Lordship, from Time to Time, put him off to
Colbeck, and *Colbeck* made Excuses; but the
' *Stuffs*

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‘Stuffs and Provisions were not served, tho’ this An. 22. James I.
 ‘Examinant used much Instance to procure them 1624.
 ‘served.

JOHN WYNYARD.

G. Cant. Robert Spencer.
 Tho. Cov. & Litch. W. Say & Seal.
 Tho. Wentworth.

‘To prove slack and slow Payments, and great
 Abatement of Prices formerly paid.’

The Examination of BENJAMIN HENSHAW, taken
 the 26th of April, 1624.

Who deposeth, ‘That he delivered to the Earl of
 ‘Middlesex, during the Time he was Master of
 ‘the Wardrobe, several Sorts of Wares, amount-
 ‘ing to the Sum of 2603 l. 16 s. 3 d. or there-
 ‘abouts.

‘Whereof, as near as I can recol-	l.	s.	d.
‘lect, there was 2041 l. 5 s. 6 d.	} 2603	16	3
‘for the Use and Service of the			
‘Wardrobe, 562 l. 10 s. 9 d.			
‘for my Lord’s own Use, both			
‘which amount to			

‘Whereof received at several Times	} 1950	0	0
‘the Sum of			

‘And so there remaineth due to me	653	16	3
-----------------------------------	-----	----	---

2603 16 3

BEN. HENSHAW.

G. Cant. Theo. Howard.
 o. Linc. C. S. Fra. Russell.
 Tho. Cov. & Litch. Henry Danvers.
 Arthur Bath. & Wells.

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An. 22. James I. *The Examination of OLIVER BROWN, one of his Majesty's Upholsterers, taken April 26. 1624.*
1624.

OLIVER BROWN and JOHN BAKER, his Majesty's Upholsterers.

	l. s. d.
' Our Bills from Michaelmas 1618, to Michaelmas 1619, amount to	643 0 0
' Received of Lord Cranfield, July, 1619,	60 0 0
' ——— about the End of the same Month, 140	0 0
' ——— about the 13th of December, 1619,	100 0 0
' ——— about the 16th of March, 1619,	100 0 0
 ' Our Bills from Michaelmas, 1619, to March, 1620,	602 18 7
do amount to	
' Received about the End of June, 1620,	100 0 0
' ——— 14th of July, 1620,	100 0 0
' ——— 23d of December, 1620,	200 0 0
' ——— February, 1620,	100 0 0
 ' Our Bills from Michaelmas, 1620, to Michaelmas, 1621, do amount to	742 8 8
' Received about the 4th of May, 1621,	100 0 0
' ——— 21st of July, 1621,	100 9 0
' ——— 27th of November, 1621,	200 0 0
' ——— 24th of December, 1621,	200 0 0
' ——— 13th of April, 1622,	150 0 0
' ——— 22d of July, 1622,	100 0 0
' ——— 20th of April, 1624,	92 8 0
' At the same Time my Lord appointed his Steward to pay us (wh ch is all that we demand)	145 18 7

OLIVER BROWN.

G. Cant.
Tho. Gov. & Litch.
Arthur Bath. & Wells.

Theo. Howard.
Robert Spencer.

The Examination of RALPH CANNING, taken the 27th of April, 1624.

The said Examinant saith, ' That he is the King's Arras-Worker, by his Majesty's Letters Patent. And saith, That, about the Time when the now Lord Treasurer became Master of the Great Wardrobe, this Examinant, having made Sumpter Cloths for the King, brought the Bills

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to the Master of the Wardrobe, who abated this An. 22. James I.
1624.
Examinant two Shillings in every Ell from the
antient Price that had been ever allowed: And
this Examinant telling him how long that Price
had been allowed, and that the said Abatement
was such, that the said Examinant should not
only lose his Work, but a great deal of the Price
of the very Stuff he bought to make them, he
told the Examinant to this Effect, *You that be-
long to the Wardrobe are Thieves, and many truer
Men have been hang'd.* And when this Exami-
nant told him, he held his Place under the Great
Seal, he said, *A Fig for your Patents, I care not
for them,* with many other harsh Words; inso-
much that this Examinant told him, he would
never make more Cloths at that Price; and yet,
nevertheless, when a new Warrant came, this
Examinant attending him thereabout, and tel-
ling him, he expected better Payment if he made
them, the said Master of the Wardrobe bad him
make them, and he should have Content; yet,
when they were made, he made the like Abate-
ment as before, so as the Examinant lost his La-
bour, and Part of the Price of his Stuff.

RALPH CANNING.

G. Cant.
Hen. Mandeville.
Tho. Cov. & Litsb.

Arthur Bath. & Wells.
Henry Danvers.

The Examination of JOHN PULFORD, taken the
26th of April, 1624.

THOMAS PULFORD, his Majesty's Coffer-Maker,
deceas'd, it appears by his Book,

	l.	s.	d.
That in the first Year of the Lord			
Treasurer's Accounts of the			
Great Wardrobe, viz. from			
Michaelmas, 1618, to Michael-	338	3	2
mas, 1619, the Bills of Par-			
cells amounted to			

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1624.

Brought over

l.

338

- ' That in the second Year of his
 ' Lordship's Account, viz. from
 ' Michaelmas, 1619, to Michael-
 ' mas, 1620, his Bills of Parcels
 ' amounted to } 438 l.
- ' That in the third Year of his
 ' Lordship's Account, viz. from
 ' Michaelmas, 1620, to Michael-
 ' mas, 1621, they amounted to } 37 l.

- ' Total of his Lordship's three Years
 ' Accounts is } 1147 l.
- ' Whereof paid (or thereabouts, for
 ' it cannot appear certainly, by his
 ' Book, what he hath received) } 940 l.

- ' So rests about 207 l.

' The which 207 l. or thereabouts, his Lordship
 ' cut off, by way of Abatement of the Prices,
 ' would not allow so much for the Commodities
 ' as was thought fit to be allowed for the same
 ' the Reign of Queen Elizabeth, by the then
 ' Master and Clerk of the Great Wardrobe; but
 ' contrary to the antient Precedent and Custom
 ' the said Office, rate and prize the Bills as he
 ' pleased, and to the Loss and Damage of the
 ' Thomas Pulford, as can be manifestly proved;
 ' the said Thomas Pulford, in his Lifetime, gave
 ' his Lordship a general Acquittance and Discharge
 ' of all Reckonings concerning the Wardrobe
 ' accounts for his Lordship's Time, so as his Ex-
 ' cellency knows not how to charge his Lordship
 ' the Remainder, or whether he may.

JO. PULFORD

G. Cant.
 Tho. Gov. & Litch.
 Arthur Bath. & Wells,

Tho. Wentworth.
 Theo. Howard.

The Certificate, upon Oath, of Sir FRANCIS An. 22. James I.
GOFTON, Knt. one of his Majesty's Auditors. 1624.

May it please your Honourable Lordships,

' There hath been no Accounts made, for the
' Office of the Master of the Great Wardrobe, du-
' ring the Time the Right Honourable the Earl
' of *Middlesex* was Master of the said Wardrobe;
' which, as I conceive, was for the three whole
' Years, ended at *Michaelmas*, 1621, Anno 19. Jac.
' Regis; for which Office I am, by his Majesty's
' Letters Patent, one of the Auditors.

FRAN. GOFTON.

Hen. Mandeville.

Tho. Wentworth.

Hen. Southampton.

W. Say & Seal.

' Then Mr. Sergeant *Crew* observed to their
Lordships, That it appears, in the Examination of
Oliver Brown, that his Bill, to *Michaelmas*, 1619,
came to 643 l. whereof the said *Oliver* was paid,
that Year, but 400 l. whereas the said Lord Trea-
surer received his whole 20,000 l. in hand, for the
Discharge of the Ordinaries of that Office.'

' And also, That the Pardon granted by his Ma-
jesty unto the Lord Treasurer, in *January*, Anno
19. Jacobi, pardons him all Sums of Money re-
ceived, but doth not pardon his not accounting for
the Ordinaries of the said Office.'

' The Sergeant having ended, the Lord Keeper
moved the House, That the Lord Treasurer might
answer his particular Charge touching the Ward-
robe. His Lordship thereupon demanded Ink and
Paper, and had it.'

Then the Lord Treasurer answered, That his Majesty used his Service in many Particulars touch-
ing his Estate; as, in the Navy, the Household, and Wardrobe.
The Lord Trea-
surer's Answer
as to the Ward-
robe.

That he found the Expences of the Wardrobe of
a vast Sum; every one made what Bills they would,
and did set what Prices they would.

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1624.

When he was Master of that Office, he sent for the Artificers, and told them, That he would not look upon what was past; but that, hereafter, the Prices should be reasonable, and the King's Money should be ready, and they duly paid.

That there were many Fees to be quarterly paid in the Wardrobe; all which were duly paid.

As for Canning and Pulford, he gave them 2 s. in the Pound more than another would have sold for: He bought little of those of the Wardrobe, but chiefly much of the Merchants; and had a good Merchants Shop in the Wardrobe, and bought of the best.

That Pulford complains not of a hard Price, but that he had not the antient Price.

As touching the not serving of divers Warrants, That his Business being many, he referred those to his Servant Colebeck: That not above the Value of 7 or 800 l. remained unserved; whereas he hath laid out 6 or 7000 l. upon the Extraordinaries of that Office; as, for furnishing Ely House for the Spanish Ambassador, a rich Barge-Cloth for the King, and many other Things; and that he gave the Earl of Carlisle, his Predecessor in that Office, 3000 l.

As touching the Business of the Stuff served in, He desired they might be compared with those formerly served in; and affirmed they were much better.

And whereas some complain they were slighted when they were Suitors for the Warrants to be served, his Lordship desired they might be examined, whether they were slighted by Him or no.

As touching the Account, his Lordship answered, That, by the Patent, which was read, he was to account; but that he had another Patent, if he be not deceived, without Account; which his Lordship delivered. And the Clerk read the same; and also his Majesty's Explanation upon the Lease of Sugars, granted to the Lord Treasurer, upon his Surrender of the Wardrobe.

Then Mr. Sergeant Crew observed to the Lords, out of both those, That his Lordship was to account for the ordinary Disbursements of the Wardrobe.

The

The Lord Treasurer answered, *That he conceived he was not to account: That he first reduced that Office from the vast Charge he told the King of; and whereas he was allowed 20,000 l. per Annum for the same, he told the Duke of Buckingham, two Years since, that he got too much thereby; and that it might be defrayed for 12,000 l. per Annum; and that he, having reduced that Office from 30, nay 40,000 l. per Annum, unto 12,000 l. is a good Account.*

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1624.

‘Hereupon divers Lords presently affirmed, That the Duke of *Buckingham* had acknowledged, that the Lord Treasurer, when he was to surrender the Wardrobe to the Earl of *Denbigh*, did acquaint his Grace with the Greatness of Gains in that Office; but, to the end he might have a great Recompence, first he named 4000 l. *per Annum*, and afterwards 8000 l. and that this drew on the Lease of Sugars to his Lordship.’

‘Then Mr. Sergeant *Crew* observed, That the Charge against the Lord Treasurer is upon Proof; his Lordship’s Answer upon Averment; which he humbly referred to their Lordship’s Consideration. And thus ended the Charge touching the Wardrobe.’

‘And then the Lord Treasurer was withdrawn.’

‘The Lord Keeper removed to the Earls Bench, to satisfy the House touching the Lord Treasurer’s speech, That the Duke of *Buckingham* knew of his Gains in the Wardrobe; and told their Lordships, That he well remembers, that when the Duke of *Buckingham* moved his Majesty to place Sir *Lionel Cranfield* Treasurer, (which he desired, who afterwards he seemed unwilling) that then the King required the Surrender of the Wardrobe to the Earl of *Denbigh*. That when the Lord Treasurer heard of it, he magnified the Profits of the Place; first to the Duke, that it was 4000 l. *per Annum*; secondly to the King, that it was worth 6 or 7000 l. *per Annum*; whereby he got the Lease of Sugars at 4000 l. *per Annum* less than they are worth; and his Successor, the Earl of *Denbigh*, had 4000 l. *per Annum* less than his Lordship for Disbursements

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1624.

ments of that Office of the Wardrobe. That the Duke being moved at this, the Lord Treasurer then told his Grace, that his Gains in that Office had been 8000*l. per Annum*; nay, more than he could well tell; and, till then, his Grace knew not of the great Gains of that Office; and if his Grace, who hath been ever careful for the King's Profit, had known of it sooner, the Lord Treasurer had not held that Place so long; for his Grace is *Amicus usque ad Aras.*

'Then it was ordered, That the Lord Treasurer be warn'd to be here again, at Two in the Afternoon, at the Bar.'

'*Post Meridiem.* The Lord Treasurer being brought to the Bar, as before, kneeled not, untill he was remembred thereof by the Lord Keeper; then he kneeled, and the Lord keeper willed him presently to stand up.'

'The King's Attorney being commanded to open the second Charge against the Lord Treasurer, his Lordship said, *He was unprovided in the Morning for the Wardrobe; and besought their Lordships to take into their Consideration, that he is denied Counsel to speak for him, being charged with great Matters, for it may be their own Case; and he hath Precedents, as he is informed, that he might have Counsel allowed him: That, however, he would speak out of his own Strength; but desired their Lordships, that, if he forgot any Thing, no Advantage be taken against him; unto which their Lordships agreed.*

His Lordship's
further Requests;

'The Lord Treasurer made two other Requests unto their Lordships; the one, *For that his Witnesses have not fully answered touching the Wardrobe, that he might have a Re-examination upon the same Interrogatories.* This the House denied, as not usual to be granted in other Courts, after Publication, for that it might produce Perjury. His Lordship's other Request was, *That he might produce his Proofs, or Records, that the Workmen of the Wardrobe were paid:* Which was also denied; for that the Non-payment of the Workmen is but an Accident to his Charge.'

Two of which
are refused by the
Lords.

'Then

Then Mr. Attorney was willed to proceed:’

‘ And he proceeded in this Manner, viz.

An. 22. James I.
1624.

‘ The second Charge wherewith the Lord Treasurer is charged, is for three several Corruptions; two of them disguised under the Shadow and Pre-text of a Bargain; and the third of a New-Year’s Gift.’

Concerning the two former.

‘ It cannot be denied, That, *February 6. Anno Mr. Attorney*
17. *Jacobi*, his Majesty did lease unto Sir *Nicholas* proceeds on the
Salter, and others, the Customs and Imposts of Charge of Bribe-
French and Rhenish Wines, from *Michaelmas, 1622,* 7.
for nine Years and an half; and did covenant with the Lessees not to lett any new Imposition upon the Wines, during the Continuance of that Lease, without the Assent of the Lessees. And, *January, Anno 19. Jacobi*, the King made a Lease unto Sir *John Wolstenholme*, and others, for divers Years, of the Great Customs; in which Lease there was a Covenant, on the Part of the Farmers, that they should put in Security for the Payment of their Rents; and, for Performance of this Covenant, they were to have the Allowance and Warrant of the Lord Treasurer, without which the King’s Remembrancer would not take their Bonds. *January 14. Anno 19. Jacobi*, a new Impost of 3*l. per Tun*, was set upon the Wines; and the same being done without the Consent of the Farmers, and to their great Damage, they were to expect Recompence for the same upon their Covenant. Upon these two Occasions, the Farmers of the several Farms were necessarily occasioned to become Suitors to the Lord Treasurer; the one for Recompence and Reparation of their Loss, the other for Allowance of their Security, and his Warrant to accept it.’

‘ The Farmers of the Wines began their Suit to the Lord Treasurer about *January or February, Anno 19. Jacobi*, and continued it with much Instance untill *December, Anno 20. Jacobi*, ten or eleven Months together without Succes upon they found Means to have Acce

James I. himself, and represented their Grief by an humble Petition; which his Majesty answered most graciously, and gave strait Charge to the Lord Treasurer to give them a speedy Dispatch, and conclude with them upon such a Recompence, as in Honour and Justice was fit. And thereupon, *December 31, 1622*, the Lord Treasurer did agree with them, that they should be allowed 9500 l. to be defalked in nine Years and a Half out of their Rent, after the Rate of 1000 l. *per Annum*. This being agreed on, they were to have his Lordship's Warrant to the King's Attorney, for drawing a Book according to the Agreement; which Warrant was speedily prepared and drawn by his Lordship's Secretary; but delayed from *December 31. Anno 20. Jac.* until *June 24. Anno 21. Jac.* And the Farmers of the Great Customs having divided the Farms into 32 Parts, every of which Part was to give his Majesty Security of 1500 l. for Payment of their Rent, they presented their Security to the Lord Treasurer, who allowed and gave Warrant to the King's Remembrancer to receive it; but the Parties unto whom five of these 32 Parts were allotted, falling off and relinquishing their Parts, the four Patentees of the Farm resolved to resume those Parts to themselves; and thereupon tendered the Lord Treasurer their own Security for those five Parts; which he agreed to accept, yet protracted them till *June, Anno 21. Jacobi.*

'The Business of both Farms thus delayed, and it being conceived that Money was expected, the Farmers of the Wines resolved to present the Lord Treasurer with 500 l. and they of the Great Farm resolved of the like Sum; and Mr. *Abraham Jacob* being a Partner in either Farm, was entrusted severally by the Farmers of each Farm, *viz.* 500 l. a-piece, to be presented to the Lord Treasurer; which he paid, in one entire Sum of 1000 l. to Mr. *Catchmay*, the Lord Treasurer's Steward, *June 27. Anno 21. Jacobi*, by the Lord Treasurer's Appointment; and thereupon the Business of both Farms

Farms had a Dispatch by the Lord Treasurer's An. 22. James I.
Means.' 1624.

' But to palliate and disguise these two corrupt Gifts, the Lord Treasurer then pretended to have four Parts of the Great Farm divided into 32 Parts; and, in his Answer touching these Corruptions, justifieth the taking of 1000 l. by way of Bargain for those four Parts from the Farmers of the Great Customs: This Answer being disproved, and it being made plain that he had no Part in that Farm, it must needs follow that the Money was taken corruptly, for the Dispatch of the Farmers Business; and, for Manifestation hereof, it stands proved,

' That, upon the Treaty of the Bargain for the Great Farm, the Lord Treasurer propounded to the Farmers to have some Parts in the Farm, not for his own Benefit, but to dispose of amongst his Friends; but this was rather a Proposition than any settled Resolution or Conclusion: For the Farmers doubting, lest, by this Pretence, some Partners might be put on them with whom they were unwilling to join, desired the Lord Treasurer, that they might make Choice of their own Partners, and, if their Farms prospered, they would be thankful unto his Lordship.'

' This Thankfulness was afterwards performed on their Part, for they raised his usual New-Year's Gift from 1000 Marks to 1000 l. And, upon this Request of the Merchants, the Lord Treasurer waived his Proposition of having the Disposall of any Parts in the Farm; which appeareth not only by the plain and express Testimony of many Witnesses, but by these Proofs following, viz.

I. ' The Lease of the Great Farm bears Date, Jan. 1. Anno 19. Jac. between which Time and April 29. Anno 20. Jac. the Farmers divided the whole Farm into 32 Parts, allowing to each Man his Part, and reduced the same into Writing, expressing therein the Sum of the Security which every Man was to give, without mentioning therein any Parts reserved to the Lord Treasurer, or his Friends; and this Writing, being tendered to the Lord Treasurer,

AN. 22. James I. 1624. furer, *April* 29, 1622, was by him allowed, and Warrant sign'd by him to the King's Remembrancer to take Security accordingly.'

2. 'When the Partners, to whom five of these Parts were allotted, fell off, and would not give Security, the Patentees resolving to take those Parts to themselves, tendered their own Security to the Lord Treasurer, and he agreed to accept it; and, tho' he protracted it long, yet he did not, in that long Time of Delay, challenge any Parts untill about *June*, 1623.

3. 'The Farmers resting secure about that Proposition, did, after the 29th of *April*, 1622, divide the whole Farm by Indentures, allotting to each Man his due Part, without reserving any for the Lord Treasurer.'

4. 'At *Christmas*, 1622, the first Year of the Farm ended; and this Year's Profit was, by Account, in *April* 1623, divided among the Partners, reserving no Share to the Lord Treasurer.'

5. 'But the Truth is, That all this Time the Lord Treasurer rested quiet, and neither did nor would challenge any Parts; the Farm being of that small Expectation of Benefit, as five Partners gave over their Parts, rather than they would give Security; but, about *June* 1623, the Farm being grown more hopeful by the Return of some *East India* Ships, the Lord Treasurer having in his Hands the Business of both Farms, which he had so long delayed, meaning to make this a Veil and Cover for taking those corrupt Gifts, then pretended to have four 32 Parts, which he had waved so long before.'

6. 'The Lord Treasurer appointing *Catchmay*, his Servant, to receive the 1000 l. of *Jacob*, which was received the 27th of *June*, 1623, forbade him to give any Acquittance for the Money, but to leave that to himself and *Jacob*; which, had it been paid upon a plain Bargain, he never would have done.'

7. 'This Money was enter'd into the Accounts and Books of the said Farms; for, in the Journal Books of the Petty Farms, *July* 31, 1623, there

there is 500 l. enter'd to be paid and presented to the Lord Treasurer, by the Hands of Mr. *Jacob*, for a Gratification of his Favour in accommodating an Allowance of 1000 l. *per Annum* to be abated of their Rent for the Time to come; and the like Entry was made in the Ledger of the same Farm. And, *December* 20, 1623, upon the general Account of that Farm, this 500 l. is put to Account, as a Gratiuity given to the Lord Treasurer, and is borne rateably by all the Partners of the Farm, of which Account many Copies were given out to the Partners; and, for the other 500 l. there is extant a Warrant, dated *July* 29, 1623, subscribed by Sir *John Wolstenholme* and *Henry Garraway*, two of the Farmers of the Great Farm, directed to *Williams*, the Cashier of that Farm, to pay to Mr. *Jacob* 500 l. given by him, by Order of the Farmers, to the Lord Treasurer, for a Gratiuity, and to put it to the Account of the Farm; which was done accordingly: And these Accounts stood in this Manner till *February* last, after the Parliament was summoned; and then the Lord Treasurer caused *Jacob* to procure the 500 l. that was set upon the Petty Farms, to be altered from thence, and to be charged upon the Farmers of the Great Farm; and Satisfaction to be given to the Partners of the Petty Farms of their proportionable Parts they were charged with for that 500 l. upon the aforesaid Account of the 20th of *December*; and as many as could of the dispersed Copies of that Account to be gotten in. He also procures *Jacob* to write a Letter to his Lordship, and to antedate the same in *June* before; by which *Jacob* did intimate, that the 1000 l. was given his Lordship for four 32 Parts of the Great Farm; and himself made an Acquittance to *Jacob* with the like Antedate, acknowledging that 1000 l. to be received for those four Parts; which indirect Courses of changing the Accounts, and antedating the said Acquittance and Letter, manifesteth that the former Proceedings were not sincere, but were to be converted and blanch'd with these Devices'

' Touch-

An. 22. James I
1624.

An. 22. James I.
1624.

‘ Touching the said Corruption, shadowed under pretext of a New-Year’s Gift, it stands proved, That, at *Christmas* last, 1623, the Farmers of the Petty Customs presented the Lord Treasurer with a Tun of Wine, intending to have added to it a Pipe of *Canary* Wine, or the best Sack; but the Lord Treasurer misliking the Smalness of their Present, urged them to a further Gratuity in Money, and thereby obtained from them, besides the Wine, 100 l. in Money.’

‘ The Charge being thus opened by Mr. Attorney, the Clerk read the Proofs, *viz.*

The Examination of BERNARD HYDE, *taken the 19th of April, 1624.*

Examinations of
Witnesses there-
upon.

The said Examinant saith, ‘ That after the new Impost of 3 l. *per* Tun, set upon the Wines, this Examinant, and the rest of the Partners in the Farm of the Wines, being greatly damnified thereby, contrary to a Covenant in their Lease, made long Suit to the Lord Treasurer for Relief in that Behalf; and, obtaining none, at last exhibited a Bill, in the Name of the Farmers, into the Exchequer Chamber, for a Satisfaction, and desired that his Majesty’s Attorney General might answer the same; and so the Cause proceeded judicially: In the End, after ten Months Delay, conceiving it fittest to make their humble Suit to his Majesty himself, thereupon, on the *Sunday* before *Christmas* was Twelve-Months, this Deponent and *Henry Garraway*, together with *John Harrison*, delivered an humble Petition to his Majesty, either to hear and order the Business himself, or refer them to the Council-Board, and not any more to the Lord Treasurer, where they had endured so long Delay. His Majesty gave them a most gracious Answer, That he would not that any Man should be hurt or damnified by him; but, as the Lord Treasurer best understood
‘ the

the Business, he would command him to make a speedy End with them; and, calling Mr. Chancellor of the Exchequer, by him sent a Commandment to the Lord Treasurer, that he should speed their Dispatch; and thereupon the Lord Treasurer, being attended upon New-Year's Eve, made an Agreement, that there should be an Allowance of 9500 l. made unto them for their Satisfaction, to be paid in nine Years and a Half: And, after this Agreement made, they did long and often attend the Lord Treasurer, for his Warrant to Mr. Attorney, for passing their Book, according to the Agreement; but his Lordship still delayed the signing of the Warrant. The Examinant being grieved at the Delay, told Mr. Dawes, That he marvelled at the Delay, and thought there was somewhat in it that caused so long a deferring. To which Mr Dawes answered, That he thought they must make their Passage by Money: And thereupon they propounded it to their Partners, who appointed one (which, as he thinks, was Mr. Jacob) to move the Lord Treasurer thereabouts; by whom Word was brought, that 500 l. must be given; which was agreed to be given, and Direction given to Richard Bishop, their Cashier, to deliver so much Money to Mr. Jacob, or his Assigns; which was accordingly delivered the 31st of July last, unto a Servant of Mr. Jacob's, in Gold, for so it was required, and the same entered in the monthly Account as a Gratuity to the Lord Treasurer. And saith, That presently after the Delivery of the Money, the Warrant was signed by the Lord Treasurer; whereupon their Book passed shortly after. But further saith, That December 20, 1623, the yearly Account being made up for the Partners, the said 500 l. was there also entered in this Manner, *For a Gratuity given to the Lord Treasurer the Sum of 500 l.* which was then allowed by the Auditors of that Account, of which Mr Dawes was one; and the

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1624.

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1624.

‘ the same continued accordingly till the End of
‘ *January*, or Beginning of *February*; and then Mr.
‘ *Jacob* sent for this Examinant, and propounded
‘ to this Examinant and Mr. *Grey*, that the said
‘ Lord Treasurer had told him, that the King was
‘ made acquainted with the 500*l.* and that the
‘ said Treasurer had denied it his Majesty; and
‘ therefore the Account must be altered, and the
‘ 500*l.* posted from the said Account unto the
‘ Great Farm; and this was at the House of Mr.
‘ *Jacob*. To which this Examinant said, It might
‘ be done; but then not only the Book must be
‘ altered, but there being Copies of the Account
‘ in the Hands of many of the Partners, they must
‘ be gotten in, which would be difficult; yet this
‘ Examinant would do his best, which he did ac-
‘ cordingly; wherewith *Jacob* was well satisfied:
‘ And the said Alteration being made, there was
‘ Restitution made to this Examinant, and such
‘ other of the Partners as had no Share in the
‘ Great Farm, of their Parts of the said 500*l.*
‘ whereof this Examinant’s Part was about 40*l.*
‘ And this Examinant did always take it, that this
‘ 500*l.* was given to the Lord Treasurer for his
‘ own Use, for Dispatch of the said Warrant, and
‘ for no other Purpose.

BERNARD HYDE.

G. Cant.
H. Mandeville.
Hamilton.
H. Southampton.
Theo. Howard.
Tho. Cov. & Litch.
Arthur Bath & Wells.

Tho. Wentworth.
Fra. Russell.
H. Danvers.
Robert Spencer.
W. Say & Seal.
Fra. Brook.

The said Examinant, upon further Question, the
Day and the Year abovesaid, saith, ‘ That he doth
‘ well remember, that besides the Proposition afore-
‘ said at Mr. *Jacob*’s House, the said Mr. *Jacob*
‘ did, another Time, at the Custom-House, pro-
‘ pound

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‘ pound the Alteration of the Account unto this An. 22. James 1,
 ‘ Examinant, Sir *John Wolstenholme*, and Mr. Gar- 1624.
 ‘ raway.

BERNARD HYDE.

<i>G. Cant.</i>	<i>Tho. Wentworth.</i>
<i>H. Mandeville.</i>	<i>Fra. Russell.</i>
<i>Hamilton.</i>	<i>H. Danvers.</i>
<i>Pembroke.</i>	<i>Ro. Spencer.</i>
<i>H. Southampton.</i>	<i>W. Say & Seale.</i>
<i>Theo. Howard.</i>	<i>Fra. Brook.</i>
<i>Tho. Cov. & Litch.</i>	

*The Examination of BERNARD HYDE, taken the
 20th of April, 1624.*

The said Examinant saith, ‘ That he doth perfectly remember that about the End of January, or Beginning of February last, Mr. Jacob sent for this Examinant to his House, the said Mr. Jacob being at that Time not well in Health; and the said Mr. Jacob did then tell this Examinant, as from the Lord Treasurer, That the King had Knowledge of the 500 l. given to the Lord Treasurer, which was charged upon the Accounts of the Petty Farms, and that his Lordship denied the same; and that his Lordship was angry at the charging it on the Petty Farms, and therefore would have the Account altered. And saith, This Speech passed between them in Mr. Jacob’s green parlour, and that there were in the Room at that Time, Mr. Henry Garraway, and Richard Bishop, but is not certain whether the same were openly spoken whereby these two might hear; or else said privately to this Examinant, to the end to make him more forward in the Alteration of the Book of Accounts; which was indeed a great Disgrace to their Books.

BERNARD HYDE.

The said Examinant further saith, ‘ That at Christmas last the Farmers of the Petty Farms
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An. 22. James I. 1624. presented the Lord Treasurer with a Tun of Wine, as they had used to present in former Times, and intended to present him further with a Pipe of *Canary* Wine or the best Sack: But, within short Time after, Mr. *Jacob* told this Examinant and some others of the Farmers, that the Treasurer was angry with them for that they had not better regarded him but with a Tun of Wine, and his Lordship expected a better Gratification; and that his Lordship had named 200 l. and in the end the Farmers concluded to give him 100 l. And this Examinant, by their Direction, delivered the said 100 l. to his Lordship's own Hands, and the same was by him accepted; which, as Mr. *Jacob* took on him, was the rather by his Means; and thereupon the Pipe of sweet Wine was forbore to be sent.

BERNARD HIDE.

<i>G. Cant.</i>	<i>Hamilton.</i>
<i>Pembroke.</i>	<i>T. Howard.</i>
<i>Tho. Cow. & Litch.</i>	<i>F. Russell.</i>
<i>H. Mandeville.</i>	<i>R. Spencer.</i>
<i>H. Southampton.</i>	<i>F. Brook.</i>
<i>A. Bath. & Wells.</i>	

‘The Examination of *Henry Garraway*, taken the 17th of *April*, was to the same Effect as *Bernard Hyde* in his first Examination.’

The Examination of ABRAHAM DAWES, taken the 17th of April, 1624.

The said Examinant saith, ‘That after there was an Agreement made for 9500 l. to be allowed by the Farmers for their Damage by the new Impost, this Examinant observing the Warrant was long delayed, and having Speech with Mr. *Bernard Hyde*, told him, That he thought the Business was not well understood, nor a right Course taken, and that something must be given to the Lord Treasurer; and, shortly after, this

‘Exa-

Examinant being one of the Auditors of the Accounts concerning the Farms, and finding in the Book of *Richard Bishop* a Sum of 500 l. set down to be given to the Lord Treasurer for a Gratuity, asked the said *Bishop*, What Voucher he had for the Payment? who said, That he had the Hands of some of the Farmers for it: And, because the Time would not be long before the Account for the whole Year should be made up, this Examinant pressed no further at that Time, but when the Year's Account came to be made up, this Examinant finding the same 500 l. then put to Account, called *Bishop* for his Vouchers, who thereupon shewed to this Examinant a Note under the Hand of Sir *John Wolstenholme*, and Mr. *Henry Garraway*, for Warrant of that Payment. And further saith, That this 500 l. being afterwards posted from that Account to the Great Farm, the said *Bishop* told this Examinant he had 3 l. odd Money for him, for his Part of the Money, to which he had taken Exception in the Account of the Wine Farm, saying, That by Direction of the Farmers it was posted to the Great Farm; and that the Lord Treasurer would have it so. To which this Examinant answered, That would be prejudicial to this Examinant, for his Part thereof in the Petty Farm was but 3 l. odd Money, but in the Great Farm it would come to 18 l. and above. And saith upon his Oath, He ever conceived that 500 l. to be given to the Lord Treasurer for Dispatch of the Warrant for the 9500 l. And that within short Time after the Partners had paid that 500 l. the Warrant was signed by the Lord Treasurer, and their Business dispatched.

An. 22. James I.
1624.

ABRAHAM DAWES.

G. Cant.

T. Wentworth.

W. Say & Seale.

H. Mandeville.

P. Russell.

T. Cov. & Litch.

H. Danvers.

A. Rath. & Wells.

R. Spencer.

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An. 22. James I. *The Examination of JOHN HARRISON, taken the*
1624. *17th of April, 1624.*

The said Examinant saith, ' That after such
' Time as the Farmers of the Petty Customs had,
' for many Months, sued in vain to the Lord
' Treasurer, for Satisfaction of their Losses sustain-
' ed by the new Impost of Wines; upon Petition
' exhibited to the King, and his Majesty's Refe-
' rence, by Commandment, to the Lord Treasur-
' er, on the last of *December 1622*, there was a
' Conclusion made, That the Farmers should have
' the Defalcation of 9500 l. out of the Rent of
' the Wine Farm for nine Years and an half, in
' Satisfaction of their Demands: But notwith-
' standing that Agreement, and that a Warrant
' was prepared accordingly, (which this Exami-
' nant knoweth, because he saw it in the Hands of
' Mr. *Jacob* his Lordship's Secretary;) yet, for five
' or six Months together, the Lord Treasurer tho'
' intreated, could not be prevailed on to sign the
' Warrant; whereupon Mr. *Dawes*, intimating
' that it was likely that the Lord Treasurer expec-
' ted some Gratuity, it was resolved to present
' him with 500 l. which 500 l. is thus entered in
' the Monthly Account of the Petty Farms, *By*
' *so much paid to the Lord Treasurer by the Hands of*
' *Mr. Abraham Jacob, for Accommodation of 1000 l.*
' *per Annum, 500 l. And further saith, That the*
' said 500 l. was likewise put into the yearly Ac-
' counts of that Farm, and thereupon Copies of
' the Account dispersed into the Hands of many
' of the Partners: But afterwards the same was
' altered, about a Month after the Summons of
' the Parliament, and was posted over to the Great
' Farm; and this Examinant, by the Appoint-
' ment of Mr. *Jacob*, did call in divers Copies of
' the said Account, and believeth (and so it was
' generally conceiv'd,) that this was altered by the
' Lord Treasurer's Appointment. *And further*
' *saith, That before the said 500 l. was resolved*
' *to be given, Mr. Jacob did affirm, that the Lord*
' Treas-

‘ Treasurer did expect so much, as Mr. *Hyde*, An. 22. James I.
 ‘ near about that Time, and oftentimes, told this 1624.
 ‘ Examinant; and after that 500 l. was given, the
 ‘ Warrant was sign’d, and the Business dispatch’d,
 ‘ with such Expedition that the Book passed the
 ‘ Seal within a Fortnight, or little more. And
 ‘ saith, That upon Payment of the 500 l. out of
 ‘ the Petty Farms, his Part came to 3 l. odd Mo-
 ‘ ney, but if he shall bear his Part thereof in the
 ‘ Great Farm, it will be about 15 l. Loss to him.

JOHN HARRISON.

G. Cant.	H. Mandeville.
H. Southampton.	T. Howard.
T. Wentworth.	Hamilton.
H. Danvers.	T. Cov. & Litch.
R. Spencer.	Pembroke.
W. Say & Seale.	A. Bath. & Wells.

The Examination of RICHARD BISHOP, *taken*
the 22d of April, 1624.

‘ *The said Examinant saith,* ‘ That there was an
 ‘ Agreement made, as this Examinant heard from
 ‘ his Partners, and believes it to be true, by the
 ‘ Lord Treasurer on his Majesty’s Behalf, to allow
 ‘ 1000 l. *per Annum*, unto the Farmers of the Petty
 ‘ Farm, in Satisfaction of their Damage by the
 ‘ Imposition lately set upon Wines; which Agree-
 ‘ ment, being made on New Year’s Eve was
 ‘ Twelvemonth, and continual Suit made after
 ‘ for the Dispatch, yet for the Space of about six
 ‘ Months they were Suiters for the Warrant of
 ‘ Allowance, but could not get it untill 500 l.
 ‘ was agreed to be given to the Lord Treasurer;
 ‘ and this Examinant, being Cashier to the Petty
 ‘ Farms, received Order from Mr. *Jacob*, Mr.
 ‘ *Hyde*, and some others of the Farmers, to put
 ‘ the same to Account; which according to their
 ‘ Direction he did, and enter’d the same in his
 ‘ Journal-Book in these Words, 31st July, 1623.
 ‘ viz. *The Farm of French Wines oweth to ready*

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An. 22. James I.
1624.

‘ Money the Sum of 500 l. paid and presented to
‘ the Lord Treasurer by the Hands of Mr. Abraham
‘ Jacob, for a Gratification for his Lordship’s Fa-
‘ vour in accommodating an Allowance of 1000 l. per
‘ Annum, to be abated out of the Rent for the Time
‘ to come. I say, paid to the Hands of Mr. Jacob
‘ the Sum of 500 l. And he did likewise enter the
‘ same into his Leidger-Book; and in the End of
‘ the Year, the said 500 l. was put into the gene-
‘ ral Account of the Farm, as a Gratuity to the
‘ Lord Treasurer; and thereby the Dividend of
‘ the Farm was so much the less; and the same
‘ Account was audited and allowed by Mr. Hyde,
‘ Mr. Fletcher, Mr. Dawes, and Mr. Williams.

‘ And after, in February last, this Examinant
‘ received Direction to amend the Account; and
‘ thereupon, the 28th of February last, this Exa-
‘ minant made an Entry as followeth in his Jour-
‘ nal-Book, viz. *The Account of the three Petty*
‘ *Farms, for the Year ended at Michaelmas last,*
‘ *oweth to several Accounts the Sum of 500 l. and*
‘ *is for so much dividable to the Partners, over and*
‘ *above the Sum of 13,120 l. 12 s. 10 d. formerly*
‘ *divided for the Profit of the Year ended at Michael-*
‘ *mas last, for which the said Partners are due to*
‘ *have as followeth;* and then did enter every Man’s
‘ Name with his Part of the 500 l. belonging to
‘ each Man; and the same was also enter’d in ano-
‘ ther Leidger-Book, as appears by the several
‘ Books, containing all the aforesaid Entries, fairly
‘ written, and now shewed to the Lords Commit-
‘ tees. *And saith,* That albeit he had Order to
‘ have razed the Account, yet he did it not; but
‘ kept the same and the Books fair, and took so
‘ much the more Labour, and entered all specially
‘ as aforesaid.

RICHARD BISHOP.

G. Cant.
A. Bath. & Wells.
H. Mandeuvre,
R. Spencer,
Hamilton,

W. Say & Seale.
H. Southampton.
F. Brook.
T. Cov. & Litch.

‘ An

'And these Examinations were read touching An. 22. James I.
the Business of the *Great Farms*, &c. viz.' 1624.

*The Examination of HENRY GARRAWAY, taken
the 17th of April, 1624.*

The said Examinant saith, 'That the Examinant and others having taken a Lease of the Great Customs, in short Time after they were told by Mr. Jacob, That the Lord Treasurer desired to have the Disposition of some Parts in that Farm, but nothing was concluded thereon; saving that this Examinant and the Patentees told Mr. Jacob, they would desire his Lordship to give them Leave to dispose of all their Parts among their own Friends, and they would be thankful to his Lordship if the Farm did prosper; and accordingly the Farmers presented unto his Lordship a Note containing all the Partners, and Distribution of all the thirty-two Parts of the Farm, to the Intent his Lordship might, according to that Proposition, give Warrant for their entering Security to his Majesty, which his Lordship accepted and allowed; and gave Warrant to the King's Remembrancer, to take Security accordingly. Whereupon the Farmers went first, and procured as many others as they could, to go after to Mr. West, to give Security; but five of them not willing to proceed in the Farm, fell off; whereupon this Examinant and the other Patentees that had undertaken to give his Majesty Security, moved the Lord Treasurer to accept Security of them, and they would resume those five Parts to themselves; and his Lordship said he would: Nevertheless he did deter to sign any Warrant therefore, but did not then, nor long after, speak of any Parts for himself, or to be at his Disposal; neither doth this Examinant conceive any Reason his Lordship should, the Opinion of the Farm being then so mean, that five of their Partners fell off: But the Warrant for Security being deferred till some
East

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An. 22. James I.
1624.

East-India Ships came in, which as this Examinant remembers, was about *May* and *June* 1623, and the Farm then growing hopeful, his Lordship then began to challenge the four Parts in the Farm, or else to have Recompence for the same; which the Farmers thought to be very hard, they having upon their first Promise of Thankfulness, and in Performance thereof, augmented his Lordship's New Year's Gift, which formerly was but 1000 Marks, and in the Year following was made 1000 l. nevertheless his Lordship demanded 1000 l. in lieu of his four Parts. This Examinant and his Partners thought the Demand altogether unreasonable, they not owing any Thing to his Lordship, nor there being any Thing due to his Lordship in that kind; for that upon the first waving his Claim of Part, the whole Farm, long before this second Demand, was divided by Indenture among all the Partners; yet understanding that the Farmers of the Petty Farms, (whose Business did stick as well as the Business of the Great Farm,) were willing to present 500 l. to his Lordship, to remove the Stop; the Farmers of the Great Farm consented to give 500 l. more; and both of them employed Mr. *Jacob* to negotiate their Business, who procured a speedy Dispatch of both Businesses, and had Allowance of 500 l. out of the Great Farm, and 500 l. more out of the Petty Farms; which Money, set upon the Petty Farms, was after posted to the Great Farm, as in his other Examination taken this Day is set forth.

HENRY GARRAWAY.

G. Cant.

A. Bath. & Wells.

T. Wentworth.

T. Howard.

H. Danvers.

H. Mandeville.

H. Southampton.

T. Cov. & Litch.

R. Spencer.

W. Say & Seale.

75

The Examination of JOHN WILLIAMS, taken the An. 22. James I.
17th of April, 1624. 1624.

The said Examinant saith, ' That after his Majesty had made the last Lease of the Great Customs, there was Security of 48,000 l. touching that Farm, to be given to his Majesty; which being divided into thirty-two Parts, each Part was to secure 1500 l. Parcel of the said 48,000 l. Thereupon the Names of all the Partners, and the Sums they were to secure, were put into one Paper, which was allowed by the Lord Treasurer; and his Lordship underneath subscribed a Warrant to the King's Remembrancer, to take Security according to that Note.

' But after five of the Parts fell off, whereby his Majesty's Security fell short 7500 l. and thereupon the Farmers, willing to undertake those Parts themselves, moved the Lord Treasurer to accept their Security for these Parts, which as this Examinant was told by the Farmers, his Lordship said he would accept; yet deferr'd to make a Warrant to the Remembrancer to take the Security, from September 1622, untill June or July last, and then gave Warrant therefore: Howbeit *this Examinant saith,* That before the same Warrant passed, the Farmers were drawn to yield to a Gratuity of 500 l. which this Examinant knoweth; for that a Servant of Mr. Jacob who paid the Money, demanding Allowance thereof, upon the Account of the Farm, this Examinant refused to give Allowance thereof, untill he brought to this Examinant a Warrant signed by Sir John Wolstenholme and Mr. Garraway, which was now shewed to him dated July 29th, 1623. And thereupon this Examinant, on or about the 8th of August last, gave Allowance thereof. *And saith,* That he understood that about that Time, the Lord Treasurer had claimed four Parts in the said Farm; which seemed strange to this Examinant and the Partners. *And saith,* That he himself being one of the five named in the first
' War-

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An. 22. James I. 1624. ' Warrant, which gave up their Parts, had his Part
' from and under Mr. *Henry Garraway's* Quar-
' ter, and neither he nor any of the other four had
' their Parts from the Lord Treasurer; neither
' were their Parts to return to the Lord Treasurer.
' *And saith further*, That upon an Account which
' began to be made in *April* 1623, and was audi-
' ted *July* 9th 1623, for the Year ending at *Christ-*
' *mas* 1622, the five Parts of those that fell off,
' were divided among the four Farmers; and this
' Examinant made up the Account in that Man-
' ner, by the Farmers Warrant.

JOHN WILLIAMS.

<i>G. Cant.</i>	<i>Hamilton.</i>
<i>H. Southampton.</i>	<i>A. Bath. & Wells.</i>
<i>T. Howard.</i>	<i>R. Spencer.</i>
<i>H. Mandeville.</i>	<i>Pembroke.</i>
<i>T. Cov. & Liteh.</i>	<i>T. Wentworth.</i>
<i>H. Danvers.</i>	<i>W. Say & Seale.</i>

*The Examination of ABRAHAM DAWES, taken
the 20th of April, 1624.*

The said Examinant saith, ' That the Farmers
' of the Great Customs, having agreed upon tak-
' ing a Lease of that Farm, they among them-
' selves divided the Farm into thirty-two Parts; by
' the Partners of which Parts proportionable Se-
' curity was to be given to his Majesty, amounting
' in all to 48,000 l. unto his Majesty's Use; and
' the Lord Treasurer made a Warrant to the King's
' Remembrancer, to take Security accordingly,
' without reserving any Part to himself, or any
' other than was mentioned in that Warrant; but
' five of the Partners falling off, the four Paten-
' tees resolv'd to accept those Parts for themselves,
' and to divide them equally among them, and to
' give their own Security unto his Majesty for
' those five Parts. *And saith*, That this Exami-
' nant, finding both by the Accounts of the Farm,
' and by Conference with Mr. *John Williams*,
' that

that 500 l. was put upon the Account of the Farm, as a Gratiuity to the Lord Treasurer, for accepting Security for those five Parts, told Mr. Williams, that it was hard and unequal that 500 l. should be set upon the whole Farm, for that which concerned those five Parts only, which the four Partners took to themselves. *And saith,* That this Conference was between him and Williams about July last. *And further saith,* That he had a Conference with Sir John Wolstenholme about two Months past, what Part the Lord Treasurer had reserved in that Farm, who said, he propounded at first to have some Part; but the Farmers doubting, lest by that Means, Sir Arthur Ingram might be put upon them, intreated his Lordship to permit them to dispose of all the Parts, and they would be thankful to his Lordship some other Way; with which his Lordship was satisfied, and that, (in Performance of that Promise,) whereas at Christmas before they gave him 1000 Marks, the next Christmas they gave him 1000 l.

Ann. 22. James I.
1624.

ABRAHAM DAWES.

G. Cant.	H. Southampton.
A. Bath. & Wells.	W. Say & Seale.
T. Cov. & Litch.	T. Howard.
Pembroke.	F. Brook.
T. Wentworth.	

The Examination of JOHN HARRISON, taken the 20th of April, 1624.

The said Examinant saith, That a little before Christmas was two Years, Sir John Wolstenholme told this Examinant, that upon taking the Great Farm, the Lord Treasurer desired to have some Parts therein for some of his Friends; but the Farmers fearing lest any should be put on them, with whom they were not willing to join, moved his Lordship to let them dispose of the Farm they thought good, and they would gratify otherwise; which his Lordship was content

An. 22. James I.
1624.

‘ *And this Examinant further saith,* That, about
 ‘ April was two Years, the Farmers divided the
 ‘ Farm into thirty-two Parts, proportioning to
 ‘ every Man the Security he was to give to
 ‘ his Majesty; all which the Lord Treasurer
 ‘ allowed, and signed a Warrant to Mr. *West*,
 ‘ to take the Security accordingly; which War-
 ‘ rant this Examinant carried to Mr. *West*, who
 ‘ prepared a Condition of a Bond, which was
 ‘ perused and made perfect by Mr. Attorney;
 ‘ and most of the Partners entered Bond accor-
 ‘ dingly, only there remained five Parts unsecured.
 ‘ *And further saith,* There were Indentures drawn
 ‘ for distributing the Parts according to the Division
 ‘ made as aforesaid; and, concerning the five Parts
 ‘ unsecured, the Patentees, who would not seal any
 ‘ Indenture but to such as gave Security to the
 ‘ King, took those Parts to themselves, and offer-
 ‘ ed the Lord Treasurer their own Security; but
 ‘ the taking thereof being long delayed, and 500 l.
 ‘ having been given to the Lord Treasurer by Mr.
 ‘ *Jacob*, which the Farmers were to see repaid to
 ‘ Mr. *Jacob*; there was a Warrant given to Mr.
 ‘ *John Williams*, the Cashier of that Farm; and
 ‘ the said Warrant, being so to be written by this
 ‘ Examinant, Mr. *Garraway* called this Examinant
 ‘ into the Office of the Custom-House, to direct
 ‘ him in the drawing of that Warrant; and ac-
 ‘ cordingly required him to make a Warrant to
 ‘ Mr. *Williams* for allowing 500 l. to Mr. *Jacob*;
 ‘ yet so carried himself, that he appeared, to this
 ‘ Examinant, unwilling that this Examinant should
 ‘ know why the said 500 l. was disbursed; yet, in
 ‘ the end, perceiving that he could not well hide
 ‘ it from this Examinant, he plainly told this Exa-
 ‘ minant, That this 500 l. was given to the Lord
 ‘ Treasurer, to procure him to take the Patentees
 ‘ own Security for those five Parts that had been
 ‘ relinquished; and said, in respect the Farm was
 ‘ not sufficiently secured untill that Security given,
 ‘ he thought it reasonable that 500 l. should be put
 ‘ upon the Charge of the whole Farm; and there-
 ‘ fore

fore wished this Examinant so to draw the War-
 rant; but Mr. *Williams* put it to the Account of
 the general Charge: And thereupon Mr. *Jacob*
 had Allowance thereof, and the 500 l. was put
 into the Account of the Farm. And further
saith, That he hath since understood from Sir
John Wolstenholme, that, as they promised to gra-
 tify the Lord Treasurer, for leaving the Claim
 of any Parts in the Farm; so they have performed
 it since, in raising the two Years past his New
 Year's Gift from 1000 Marks to 1000 l.
 And *saith*, That although he hath been much
 employed in the Business of that Farm, yet he
 doth not know any thing that the Lord Treas-
 urer had any Right or Equity in any Part of
 that Farm; and that Claim that he first made,
 and after relinquished, was only for recommend-
 ing some Friends, and not for himself.

An. 24. James L.
1624.

JOHN HARRISON.

G. Cant.

W. Say & Seale.

A. Bath. & Wells.

T. Howard.

Pembroke.

T. Cow & Litch.

The Examination of Sir JOHN WOLSTENHOLME,
taken the 17th of April, 1624.

The said Examinant saith, ' That the Farmers
 of the Petty Farms, finding their Business to suf-
 fer great Delay with the Lord Treasurer, did, as
 this Examinant was made acquainted by Mr.
Hyde and others, resolve to present his Lordship
 with 500 l. and that the same was presented;
 and Mr. *Jacob* himself did acknowledge as much.
 And he further *saith*, That between *Christmas*
 1621, and *April* 29th 1622, the Lord Treas-
 urer challenged a Promise of the Farmers, to have
 four Parts in the Great Farm for himself and his
 Friends; but upon Promise of Thankfulness from
 the Farmers of the Great Farm, was contented
 to relinquish those Parts; in respect whereof Mr.
Jacob, afterwards, telling them that my Lord
 Treas-

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1624.

Treasurer did expect their Thankfulness; the Farmers were content to advance his New Year's Gift of 1000 Marks to 1000 l. by the Year: And his Lordship, being agreed, as afore said, to relinquish his Part, upon the said 29th of April 1622, did sign a Warrant to the King's Remembrancer for taking of Security; in which Warrant all the Partners, and the full thirty-two Parts of the Farm are set down, and no Part thereof reserved to his Lordship; after which Warrant, five of the Partners named in that Warrant fell off, and would not proceed; whereupon the Farmers themselves moved his Lordship to accept their Security for those Parts, and they would take upon them those Parts; and his Lordship then made no Claim to those Parts; yet delayed the Warrant by the Space of a Year, or thereabouts, never claiming any Parts in all that Time; but the *East-India* Ships afterwards coming in, whereby there was apparent Likelihood of Gain, his Lordship then challenged four Parts, and would not sign the Warrant for accepting their Security, untill they had promised or given him 500 l. And this Examinant and Mr. Garraway signed a Warrant unto Mr. Williams for Payment of that 500 l. And saith, That when he signed the said Warrant, he had no Thought or Expectation that the other 500 l. should ever have been put upon the Great Farm, but that it should still have rested on the Petty Farms.

JOHN WOLSTENHOLME,

G. Cant.
Pembroke.
Hamilton.
T. Howard.
H. Mandeville.
H. Southampton.

T. Cov. & Litch.
A. Bath. & Wells.
H. Danvers.
W. Say & Seale.
T. Wentworth.
R. Spencer.

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A Warrant to Mr. WILLIAMS, viz.

An. 22. James I.
1624.

‘ Mr. Williams, we pray you, pay unto Mr. Jacob the Sum of 500 l. given him, by Order from the Farmers, to the Lord Treasurer for a Gratuity, and put it to the Account of Charge.

July 29, } JOHN WOLSTENHOLME.
1623. } HEN. GARRAWAY.

‘ This Warrant was shewn to John Williams the 17th of April 1624.

JOHN WILLIAMS.

G. Cant.

H. Southampton.

H. Mandeville.

T. Howard.

Hamilton.

T. Wentworth.

Pembroke.

The Examination of ABRAHAM JACOB, taken the 17th of April 1624.

The said Examinant saith, ‘ That upon the Conclusion of the Lease of the Great Customs, the Lord Treasurer told him, that he would reserve some Part in the Farm, nominating at first six Parts, and afterwards four Parts: But the Farmers, fearing that thereby some Partners might be put on them, with whom they had no liking to join, entreated that his Lordship would give them Leave to dispose thereof among their own Friends; and, if the Farm did prosper, they would be thankful to his Lordship: And his Lordship consenting thereto, signed a Warrant to Mr. West, for taking Security; in which Warrant the whole Farm was divided into 32 Parts, and all the Partners named, with each Man’s Proportion; of which Number five afterwards fell off, and thereupon the Farmers became Suitors to the Lord Treasurer to take their Security for those Parts; to which his Lordship condescended, and said, He would give Warrant accordingly, but did not give Warrant till about June last; in which mean Time the Farmers and Partners did distribute and divide the whole Farm by Indentures, reserving those five Parts among themselves, and the

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AN. 22. James I.
1624.

the Money for the first Year was divided among the Partners, according to the Indentures: But, in the second Year, the Farm prospering, and some *East India* Ships coming in, his Lordship again challenged four Parts; which this Examinant thought strange, and so told his Lordship; for that his Lordship, in the Beginning had waived that Claim, and had given his Warrant to Mr. *West* for the whole 32 Parts. To which his Lordship answered somewhat sharply, and said, *That was but an Omission*. Besides, this Examinant told him, That he had no Ground for that Demand, because he desired at first to have it for others. To which his Lordship answered, *Sir* Arthur Ingram, and they to whom he meant it, had left the Parts to himself. Whereupon this Examinant and his Partners, not knowing how to withstand his Lordship's Will, tho' they knew no just Reason of his Demand, were driven to think of some Course to satisfy his Lordship; and the Farmers of the Petty Farms, whose Business for their 9500 l. had been long delayed, having about that Time fallen into a Resolution to present his Lordship with 500 l. the Farmers of the Great Customs also agreed to add 500 l. more: And this Examinant, by Warrant from the Farmers of the Great Farm, delivered his Lordship 1000 l. 500 l. whereof was again allowed upon the Great Farm to this Examinant, and other 500 l. out of the Petty Farms; and thereupon the Business of both Farms had a Dispatch. *And saith*, That the Farmers of the Petty Farms did, as this Depo-
nent assuredly believeth, disburse that Money for their own Business, and not the Business of the Great Farm. *And saith*, That the several Sums of 500 l. were severally put upon the Accounts of the several Farms, and so continued till about *January* last; and then his Lordship having, as it seemed, some Notice how these Monies were set in the Accounts, asked this Examinant thereof: And this Examinant taking Time till the Morrow, and then bringing word unto his Lord-
ship,

ship, that 500 l. was set upon the Great Farms, and 500 l. upon the Petty Farms, his Lordship, in some Passion, said, *They have done me Wrong, this will trench upon my Honour, I received of you the 1000 l. for my Parts of the Great Farm, and it had no Reference to the Petty Farm*; and, after considering of it about two Days, sent for this Examinant, and dealt with him to have the Accounts mended; which this Examinant, with Consent of the Farmers, procured; yet the Lord Treasurer, not contented therewith, after two or three Journies, caused this Examinant, with Consent of the Farmers, to write a Letter to his Lordship, dated in *June* last, (by Antedate, tho' written in *January* last) whereby this Examinant did intimate or acknowledge, that the 1000 l. was given his Lordship for four 32 Parts of the Great Farm; and at the same Time his Lordship gave an Acquittance to this Examinant, with the like Antedate, acknowledging the Receipt of the 1000 l. for the said four 32 Parts; which Acquittance was now delivered to the Lords Committees. *And saith*, There was no Acquittance required, nor Receipt taken till *January* last; but the Lord Treasurer sending *Catchmay*, his Servant, to receive the Money, commanded him to give no Receipt nor Acquittance to this Examinant, but to leave it to his Lordship. And this Examinant paid the said 1000 l. to *Catchmay* the 27th of *June* last. *And further saith*, That where the Farmers promised to be thankful to his Lordship for waving his Parts, if their Farm prospered, they raised his New-Year's Gift from 1000 Marks to 1000 l.

An. 22. James I.
1624.

ABRAHAM JACOB.

G. Cant.
Tho. Cov. & Litch.
H. Southampton.
H. Mandeville.
Ar. Bath. & Wells.

T. Wentworth.
Theo. Howard.
Henry Danvers.
W. Say & Seal.

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An. 22. James I.
1624.

‘ Then the said antedated Letter and Acquittance, mentioned in the Examination of *Abraham Jacob*, for the said 1000 l. to be paid the 27th of *June*, 1623, for the said four 32 Parts, was read. And, to prove the third Corruption, shaddowed under the Pretext of a New-Year’s Gift, were read these Examinations, viz.

The Examination of ABRAHAM JACOB, taken the 20th of April, 1624.

The said Examinant saith, ‘ That the Farmers of the Petty Farms having, at *Christmas* last, presented the Lord Treasurer with a Tun of Wine ; shortly after the Lord Treasurer, misliking thereof, told this Examinant, That they had included three Farms in one Lease ; and that the Lord Treasurer used to be presented out of all those Farms, yet they now put him off with a Tun of Wine ; and did very much expresse himself offended thereat, and did let fly at this Examinant for the same : And thereupon this Examinant moved the Farmers, who consented to give him 100 l. but the Lord Treasurer said it was too little. *And saith*, That when his Lordship declared himself offended at the Smalness of the Present sent to him as aforesaid, this Examinant told him, That the Farmers intended to present him with two Pipes of *Canary Wines* : But his Lordship said, He would not be so used ; and slighted the Offer.

ABRAHAM JACOB.

G. Cant.
H. Mandeville.
Hamilton.
Pembroke.
H. Southampton.

Theo. Howard.
Tho. Cov. & Litch.
Arth. Bath. & Wells.
F. Russell.
F. Brooke.

The

The Examination of BERNARD HYDE, taken the 20th of April, 1624.

An. 22, James I.
1624.

‘ He depofeth to the Presentment of the Tun of Wine, as aforefaid, to the Lord Treasurer, with an Intent alfo to present him with a Pipe of Canary Wine, or the beft Sack: That Mr. Jacob told him and others, That the Lord Treasurer was angry that he was not better regarded; and that he expected a better Gratification; and that his Lordship named 200 l. That therefore he delivered 100 l. to the Lord Treasurer’s own Hand; but the Pipe of ſweet Wines was forborne to be ſent.

BERNARD HYDE.

‘ Here Mr. Attorney ended the CHARGE for the ſaid three Corruptions.’

The Lord Treasurer answered, *That the greateſt part of theſe Proofs ſwear not that they of the Petty Farm gave him the 500 l. That it is true the Great Farmers paid it to his Lordship, and laid it on the Petty Farm, and deceived them and abuſed his Lordship thereby.* The Lord Treasurer’s Answer to the Charge of Corruption.

He denied that the Petty Farmers were Suitors to his Majesty at ſuch Time as is affirmed; but they complained to his Lordship, and he directed them to exhibit their Bill into the Exchequer Chamber, and ordered Mr. Attorney to answer it: That they liked it not; but, by ſome powerful Means, delivered a Petition to the King, (a very ſcandalous Petition againſt Lordship) which the King referred to the Chancellor and himſelf: That they demanded an Allowance of 10,000 l. to be preſently made, and he allowed them 19500 l. to be paid in nine Years and a Half; which he deſerv’d no Bribe: That his Warrant the Attorney was delayed for theſe two Cauſes.

First, For that his Lordship propounded to buy in his Farm for the King.

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An. 22. James I.
1624.

Secondly, *For that their Warrant was not drawn as it ought to be.*

Touching the Great Farm, his Lordship said, *He would make it appear, that he had reserved four 32 Parts therein for himself and his Friends; and alledged, That those Farmers have confessed that, their Farms prospering, he thereupon did demand a Recompence for his Part.*

‘ Here his Lordship read the Heads of his Proofs out of a Paper, and then required that the Examinations taken on his Part might be read; which were read accordingly by the Clerk, *viz.*

*The Examination of Sir ARTHUR INGRAM, Knt.
taken the 3d of May, 1624.*

Examinations in
his Favour.

‘ That some Time before *Christmas, 1621*, the
‘ old Farmers of the Great Farm, *viz.* Sir *John*
‘ *Wolstenholme, Henry Garrawoy, Abraham Jacob,*
‘ and others, were Suitors to the Lord Treasurer
‘ for the renewing of their Lease of the same Farm,
‘ and made Offer to give his Majesty so much
‘ yearly Rent for the same, as (they alledged) none
‘ other would give; whereupon the Lord Trea-
‘ surer acquainted this Deponent therewithall, and
‘ desired him, for the better Advancement of his
‘ Majesty’s Rent and Service, to do his Endeavour
‘ to procure some sufficient Persons to join with
‘ him, to make an Offer for the undertaking of the
‘ said Farm; and thereupon he, this Deponent,
‘ dealt with divers Persons of his Acquaintance, of
‘ good Quality, for that Purpose; and he, toge-
‘ ther with some of them, as, namely, Sir *Phi-*
‘ *lip Carey, Mr. Alderman Johnson, Mr. John El-*
‘ *dred, William Ferrers, Esq; and one Mr. Cooper,*
‘ for themselves, and others who were willing to
‘ join with them, did make an Offer of 1000 l.
‘ *per Annum* more than was offered by the old
‘ Farmers; which, when they had Notice of,
‘ then, and not before, they offered near as much,
‘ or thereabouts.

That

‘ That he, this Deponent, was afterwards told, An. 22. James I.
1624.
that the King’s Majesty had signified his gracious Pleasure, that the old Farmers should be preferred to the new, at that improved Offer they had made, before any others; and thereupon he, this Deponent, did desire the Lord Treasurer, that forasmuch as the said Offer, made by him and his Friends, was the Cause of that Improvement, therefore his Lordship would reserve some Part of the Great Farm to gratify such of them withall, as would be desirous to have any Part thereof; for their better Encouragement to do his Majesty Service afterwards.

‘ That he hath heard it credibly affirmed, That the same Great Farm, at the first Agreement for the new-taking thereof, was divided into 32 Parts, whereof some of the old Farmers, and their Partners, had, or were to have, some of them more of the same Parts than others, and some less. *And he, this Deponent, saith,* That he having formerly moved the Lord Treasurer to reserve some Parts for his Friends, the rather to encourage them to join with him again in any the like Service, the Lord Treasurer, at or about that Time, told this Deponent, That he had reserved fix 32 Parts of the said Farm to be disposed among them as he, this Deponent, thought good; and then he, this Deponent, did make some of his Friends acquainted therewith, namely, Sir *Philip Carey*, Mr. *Ferrers*, Mr. *Cooper*, and some others; who, at the first, seem’d willing to undertake some of the same Parts; but, afterwards, perceiving that thereby they should enter into great Bonds to the King for the Payment of the Rent, and undergo other great Adventures; and yet should have no Hand in the managing of the Business, but that the old Farmers would retain the Execution thereof wholly to themselves, as formerly they had done; therefore those his Friends, which at the first seemed willing, did return Thanks to this Deponent for his Kindness in that Behalf, and refused to have

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An. 22. James I.
1624.

‘ any of the same Parts at all: Whereupon this
‘ Deponent did shortly after acquaint the Lord
‘ Treasurer with such their Refusal, and, giving
‘ his Lordship like Thanks, did leave all the same
‘ Parts to the Lord Treasurer again in his own
‘ Power, to be disposed as he thought fit.

ARTH. INGRAM.

Pembroke.
E. Sheffield.
G. Meneven.

E. Montagu.
Ro. Bristol.

*The Examination of GEORGE LOWE of London,
Merchant, taken May 3, 1624. in hæc Verba.*

‘ *George Lowe*, of London, Merchant, was de-
‘ sirous to have a Part in that Great Farm, and
‘ did move Sir *John Wolstenholme*, and Mr. *Henry*
‘ *Garraway*, two of the Farmers, that he might
‘ have a Part with them in the same Farm. Mr.
‘ *Garraway* answered, That all their Parts were
‘ appointed and disposed of; but said, That the
‘ Lord Treasurer had reserved some Parts to his
‘ own disposing, and that his Lordship might let
‘ me have a Part, if he so pleased.

GEO. LOWE.

Pembroke.
E. Sheffield.
G. Meneven.

E. Montagu.
Ro. Bristol.

*The Examination of RICHARD VENN, taken the
3d of May, 1624.*

‘ I was twice or thrice with Sir *John Wolsten-*
‘ *holme*, one of the new Patentees, to entreat I
‘ might have a Part in the Great Farm with him
‘ and his Partners; with whom I hoped to have
‘ prevailed, because I had formerly been a Partner
‘ with him in the Great Farm, and at that Time,
‘ and now also, I am Partner with them in the
‘ Petty

Of ENGLAND. 247

Petty Farm: But he answered me plainly, Their
 Parts were all full; and appointed me, if I desired
 to have a Part, I must repair unto the Lord Treas-
 urer; which accordingly I did: It pleased his
 Lordship to answer me, That he would do his
 best to help me to a Part, for he had reserved
 some Parts. Afterwards, upon further Consider-
 ation, knowing the Merchant Adventurers had
 lost the one Half of their Trade, and that they
 imported little else but Spices for their Return,
 myself being a poor Member of that Company,
 and that the Farmers chief Hopes were upon the
East India Trade; I did attend upon my Lord
 Treasurer again, and prayed his Lordship, if it
 might not be offensive, that if he intended me
 any Part, he would bestow it elsewhere.

RICHARD VENN.

Pembroke.
E. Sheffield.
G. Meneven.

E. Montagu.
Re. Bristol.

*The Examination of EDWARD FERRERS, taken
 the 24th of May, 1624.*

That he hath no Part in the Great Farm;
 but upon the Farmers taking a new Lease there-
 of of his Majesty, then the Examinant did ear-
 nestly desire the Lord Treasurer to have a Part
 of the Great Farm, and Employment in the
 Custom-House. His Lordship promised this Ex-
 aminant, that he should have one of the 32
 Parts in the Great Farm, and also Employment
 in the Custom-House. This Examinant often
 attending his Lordship about a Month and more
 to accomplish his Desire, his Lordship told him,
 he might have one of the 32 Parts, but no Em-
 ployment; for the old Farmers had told his Lord-
 ship. That they would have no new Man to
 come in to see into their old Accounts, as his
 Lordship said: Whereupon this Examinant an-
 swered.

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An. 2^a. James I.
1624. ‘ swered, He would have no Part of the Farm with-
‘ out Employment ; and so relinquished his Lord-
‘ ship of his Promise.

‘ That he afterwards acquainted Mr. *Abraham*
‘ *Jacob*, one of the Farmers, with the said Request
‘ to the Lord Treasurer, and desired his Further-
‘ ance therein ; who replied, If my Lord Trea-
‘ surer have promised you, you may trust on him
‘ to perform it.

EDWARD FERRERS.

Pembroke.

E. Montagu.

E. Sheffield.

Ro. Bristol.

G. Meneven.

The Examination of Sir NICHOLAS FORTESCUE,
Knight, taken the 3d of May, 1624.

‘ The Lord Treasurer promised I should have
‘ one of the 32 Parts of the Great Farm, which
‘ I had entered into Bond for, as others did, by his
‘ Lordship’s Appointment. The said Part I still
‘ have, and did ever conceive he did appoint it for
‘ me, according to his Lordship’s Promise about the
‘ Time the Great Farm was set.

NICH. FORTESCUE.

Pembroke.

E. Montagu.

E. Sheffield.

Ro. Bristol.

G. Meneven.

The Examination of Sir PHILIP CAREY, Knight,
taken the 3d of May, 1624.

‘ When the Farmers had made their Contract
‘ with the Lord Treasurer for the Great Farm, I
‘ entreated his Lordship that I might have some
‘ Part in it, in respect I had been one of those who
‘ had bidden for that Farm, and been a Means to
‘ raise it for the King’s Benefit. His Lordship
‘ then promised me that I should have one of the
‘ 32 Parts. Within few Days after, meeting with
‘ Mr.

‘ Mr. *Abraham Jacob*, I told him that I had heard, An. 22. James I.
1624.
 ‘ that he, and the rest of the Farmers had concluded with my Lord Treasurer for the Great Farm,
 ‘ whereupon I had requested his Lordship for a Part
 ‘ in it, and he had promised to reserve one of the 32
 ‘ Parts for me. Mr. *Jacob* answered, I needed not to
 ‘ have troubled my Lord for it, for that I might have
 ‘ had so much from the Farmers themselves, if I
 ‘ had desired it of them. I said, That was more
 ‘ than I did know. But when I understood that I
 ‘ must enter into Bond of 1500 l. to the King,
 ‘ and that the Managing of the Business must be
 ‘ put into the Hands of a few Committees, the
 ‘ rest of us sitting for Cyphers; and doubting that
 ‘ the Benefit of the Bargain would not be worth
 ‘ the undergoing these Inconveniences, I resolved
 ‘ with myself absolutely to relinquish; and intreated
 ‘ Sir *Dudley Diggs* to signify so much to the
 ‘ Farmers, together with my Reasons for so doing;
 ‘ which, not long after, he told me he had done,
 ‘ and that they were contented, and would forbear it.

PHIL. CAREY.

Pembroke.

E. Sheffield.

G. Meneven.

E. Montagu.

Ro. Bristoll.

The Examination of Sir RICHARD WESTON, Chancellor of the Exchequer.

‘ That I had two 32 Parts in the Great Farm,
 ‘ and that, about *March* or *April* was Twelve-
 ‘ Months, I sold these two 32 Parts to the Farmers for 500 l. which the Deed and Bond between the Farmers and me will declare.

‘ That about *Midsummer* last, going with my
 ‘ Lord Treasurer in his Coach to *Chelsea*, he told
 ‘ me, with some Joy, That he had sold his four
 ‘ 32 Parts to the Farmers for 1000 l. and that he
 ‘ had

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Ans. 22. James I. had made that Bargain after the Rate of mine,
1624. being remembered of it by Sir Arthur Ingram.

RICHARD WESTON.

Pembroke.
E. Sheffield.
G. Meneven.

E. Montagu.
Ro. Bristol.

‘ These Examinations being read, Mr. *Wills* (the Lord Treasurer’s Secretary, who assisted his Lordship in sorting his Papers) withdrew himself by Commandment of the Lords.’

‘ Then the Lord Treasurer made a brief Repetition of his Proofs of his Interest in some 32 Parts of the Great Farm; and took Exception against the Testimony of *Abraham Jacob*, for it varied in Time of Payment of his 1000 l. from the Testimony of *Bernard Hyde*. And his Lordship affirmed, That the 500 l. was misplaced by him, the said

The Lord Treasurer’s further Defence.

Abraham Jacob and two more, on the Farmers of the Petty Farms; whereas he received the same only for his Interest in four 32 Parts of the Great Farm. And as touching the antedated Letter, and the antedated Acquittance, his Lordship said, That they were so done, lest *Abraham Jacob* should die, and so his Testimony be lost.

Mr. Attorney’s Answer.

‘ Unto which Mr. Attorney replied, That it is sufficiently prov’d, that the said Treasurer, neither when he received the 1000 l. nor long before, had any Right to the said 32 Parts: And thereupon he stated the Case as before, and rehearsed the seven Reasons by him formerly alledged, to prove that the Lord Treasurer had waved his Proposition of having the disposing of any Part in the Great Farm: And further, he directed the Clerk to read this Examination, taken here *ex Parte Dem. Theſaur. vic.*

The Examination of Mr. HENRY GARRAWAY.

Examinations thereupon.

‘ That he doth absolutely deny, That the Lord Treasurer, at that Time of his Demand of 1000 l. which

which was about the Middle of *June* last, to his best Remembrance, had any Interest or Right to any Part in the Great Farm; holding his Lordship exempted from, and the Patentees invested in, those Parts so relinquished, when his Lordship had signed the Warrant to Mr *West*, his Majesty's Remembrancer, to accept of their Security: But the said *Henry Garraway* confesseth, That he doth well remember, that Mr. *Jacob* did intimate unto him, and to the rest of the Patentees, the Lord Treasurer's Demand of 1000 l. under Pretence of four 32 Parts of the Farm; but not in that Manner that we should buy them, or he sell them to us; which Motion, he also remembereth well, they entertained with a great deal of Indignation; wondering what his Lordship should mean, to lay Claim to that he had no Manner of Right unto. But when this Deponent and Partners saw and perceived by Mr. *Jacob*, that the Lord Treasurer was bent, by all Means, to have his Will; after some few Days Consideration of their Business then depending with his Lordship, namely, the signing of the Warrant for the Recompence of the Damage sustained by the Petty Farms, and likewise the Warrant for perfecting the Security for the Parts of the Great Farm, relinquished by Sir *Philip Carey*, and others; they resolved, having the Consent of the Partners in the Petty Farms, to give Liberty to Mr. *Jacob* to promise his Lordship 1000 l. whereof 500 l. was to be paid by one Farm, and 500 l. by the other; but without any Acknowledgement of Right.

That Mr *Jacob* had Order from the Deponent, and his Partners in the Great Farm, for 500 l. and from Mr. *Hyde* and Mr. *Dawes*, and other Partners in the Petty Farms, for other 500 l. to be given to his Lordship, as a Gratuity to prefer their Business; but not for any Interest to any Parts of the Great Farm, as he conceiveth.

That he conceiveth it to be true, that Mr. *Jacob* paid unto the Lord Treasurer, in one entire Payment,

An. 21. James I.
 1624.

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Ann. 22. James I.
1624.

‘ Payment, 1000 l. as in the former Depositions is declared; and that the said Payment, as he hath heard Mr. *Jacob* say, was about the latter End of *June* last. That presently after the Lord Treasurer had sign’d the Warrant to Mr. *John West*, for the accepting of their Security, as aforesaid, which was in *April*, 1622, to this Deponent’s best Remembrance, he this Deponent and his Partners, the Patentees in the Great Farm, gave Order to draw up the Indentures for the Division of the whole 32 Parts; which was done long before the Lord Treasurer made any Demand of six Parts; for, to this Deponent’s best Remembrance, the Lord Treasurer did not make any Demand till the Month of *June*, 1623. And as to the Parts divided among the Patentees, this Deponent doth make Answer, that the Division then made was as follows, viz.

‘ To Sir *John Wolstenholme*, five 32 Parts and three Fourths.

‘ To Mr. *Abraham Jacob*, four 32 Parts and three Fourths.

‘ To Mr. *Morrice Abbot*, four 32 Parts and three Fourths.

‘ To this Deponent five 32 Parts and three Fourths.

‘ But at the Time Mr. *Jacob* made the Proposition on the Behalf of the Lord Treasurer, there was no new Division; for that the whole thirty two Parts were all divided long before.

‘ That the said 1000 l. was given by Consent of those that had the Managing of the Business in both Farms, as is before declared; and it was, after a Consultation had among the Partners of both Farms, and not before; and the Partners that were present at those Consultations were, Sir *John Wolstenholme*, Mr. *Abraham Jacob*, Mr. *Bernard Hyde*, Mr. *Abraham Dawes*, Mr. *John Harrison*, and this Deponent, all Partners in the Petty Farms, and all, excepting Mr. *Hyde*, interested in the Great Farm; but whether any
‘ other

other of the Partners were present, he remembers An. 22. James I.
not. 1624.

That the Patentees of the Great Farm did never, to his Knowledge, demand of the Partners of the Petty Farms any Sum of Money to be given to the Lord Treasurer : But the Partners in the Petty Farm, without Motion from the Patentees of the Great Farm, (finding their Business for lack of Recompence had so long stuck) did freely, and of their own Accord, declare their Consent to give 500 l. as conceiving their Business would never have an End, till the Lord Treasurer was gratified : And, on the other Side, the Patentees of the Great Farm, finding themselves oppressed with an unjust Demand, were willing to entertain their Offer to ease themselves of that Part of the Burthen.

That hitherto the 500 l. charged in the Account of the Petty Farms, as a Gratification to the Lord Treasurer, is not yet passed to the Account of the Great Farm ; but he acknowledgeth it to be true, That, at the Importunity of the Lord Treasurer, made unto them in *January* or *February* last, when he alledged that it might entrench upon him in point of his Honour, if it were not taken off from that Account, and paid unto the Partners of the Petty Farms, the Patentees not being willing to deny the Lord Treasurer of *England* for a Matter of 500 l. did give their Consent to take the Burthen upon themselves, in equal Shares for this, *viz.* 125 l. for every Patentee's fourth Part.

That the four Patentees of the Great Farm then (when Mr *Jacob* had made the Proposition for 1000 l. for the Lord Treasurer) did agree only to pay 500 l. and to accept of the Offer of the Petty Farmers for the other 500 l. which 500 l. so by them, the Patentees of the Great Farm, to be given, they ever intended for a Gratification for passing of their Security ; and the Warrant, which did order Mr *Williams*, their Treasurer, to repay the said 500 l. to Mr. *Jacob*, do

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1624.

‘ Mention that it was for a Gratification, as by the
‘ said Warrant it doth and may appear ; the said
‘ Sum of 500*l.* remaining to this Day, in the
‘ same Nature it was paid, without any Alteration.
‘ It is true, that the four Patentees have equally
‘ divided among them the Parts relinquished by Sir
‘ *Philip Carey*, and the rest ; for they are only
‘ bound as Patentees to his Majesty, and the rest
‘ but as Sureties ; and if all the rest of the Partners
‘ should have relinquished, they were bound to
‘ take the same upon themselves.

HEN. GARRAWAY.

Pembroke.
E. Sheffield.
G. Meneven.

E. Montagu.
Ro. Bristol.

‘ The Examination of Sir *John Wolstenholme*,
Knight, was to the same Effect.’

The Examination of ABRAHAM JACOB, taken ex
Parte Domini Regis, April 17. 1624.

‘ That the Lord Treasurer’s Demand of the
‘ four 3*2* Parts was after the Farmers had divided
‘ the Profits thereof among themselves, for one
‘ Year, by Indentures ; and after the Lord Trea-
‘ surer had waved his Claim, and had given his
‘ Warrant to Mr. *West* for the whole 3*2* Parts, &c.
‘ *ut antea*, (P. 240.)

‘ And, as touching the Lord Treasurer’s Excep-
‘ tion to the Testimonies of *Abraham Jacob*, for
‘ that it varied in Time from *Bernard Hyde*, Mr.
‘ Attorney shewed, that *Abraham Jacob* deposeth,
‘ That he paid the Money to the Lord Treasurer on
‘ the 27th of *June*, 1623, by Direction from the
‘ Farmers, and *Bernard Hyde* swears, That the Mo-
‘ ney was delivered to *Jacob* the 31st of *July*, 1623 ;
‘ which was by way of Allowance back again, so
‘ no Contradiction between them.’

‘ Then

‘ Then the Lord Treasurer protested, *That, as he shall answer it at the fearful Day of Judgment, he received that 1000 l. for no other Consideration than for his Share in the four 32 Parts.*

An. 22. James I.
1624.

‘ And as touching the third Corruption, by way of a New-Year’s Gift, he said, *That nothing belongs to the Lord Treasurer’s Place but 20 s. per Diem, the Sale of the Places when they fall, and the New-Year’s Gifts;* and denied, *That he urged them to any certain Sum.*

The Lord Treasurer protests his Innocency therein.

All which, he said, he would humbly leave to their Lordships honourable Consideration; and, withall, requested their Lordships to forbear his further Attendance here till Monday next, because he had spent his Spirits so far, that his Cause might otherwise suffer thro’ his Weakness. And so withdrew himself.

‘ The Lords granted his Request, and commanded the Gentleman Usher to signify so much to his Lordship; and further ordered, that he should attend their Lordships here again on Monday next, at Eight in the Morning, at the Bar.’

‘ An Order was signed by the Clerk accordingly, and sent to the Lord Treasurer.’

May 8. This Day the Lords received from the Commons, by Sir Edward Coke, Knt. and others, eight Bills, along with this Message, ‘ That the Commons do humbly desire to know, what Time their Lordships will please to appoint for a Conference touching the Bill on Monopolies.’

The Commons desire a Conference on a Bill against Monopolies, &c.

‘ They do also desire a Conference touching some Accusation against the Lord Bishop of Norwich, unto which his Lordship has not yet been heard; humbly leaving the Time and Place to their Appointment.’

‘ And they do earnestly recommend to their Lordships Consideration, that general Peace-maker of England, the Bill of Concealments.’

Answer. ‘ The Lords have appointed a Conference concerning Monopolies this Afternoon, at Three, in the Painted Chamber.’

‘ They

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1622.

‘ They have not yet resolved of a Time for the Conference touching Accusations against the Lord Bishop of *Norwich*; for that divers of the Lords are now absent: But, as soon as they can conveniently appoint a Time for the same, their Lordships will send to them by Messengers of their own.

‘ As touching the Bill of Concealments, their Lordships have taken the same into their serious Consideration; and it is only deferred for that all the King’s Council, who are appointed to attend the same, are, at this Time, otherwise employed: But their Lordships do promise all possible Expedition therein.’

May 10. The Lord Keeper put the House in mind of the Business concerning the Lord Treasurer, to be proceeded in this Morning. And his Lordship being brought to the Bar, Mr. Sergeant *Crew* open’d the Charge against him on the Lease of *Sugars*, in this Manner;

S U G A R S.

Quarto Decembris, Anno 18 Jacobi.

Proceedings against the Lord Treasurer on the Lease for Sugars.

THE King leaseth to *George Herriot* the Impost on Sugars, to hold from *Christmas* following, for three Years, at the Rent of 5666 l. 13 s. 4 d. *per Annum*, payable at *Midsummer* and *Christmas*.

Duodecimo Januarij, Anno 19 Jacobi.

‘ The Lord Treasurer procures *George Herriot* to surrender that Lease; and, the next Day, takes a Lease thereof from the King, unto *Nicholas Harman* and *Thomas Catchmay*, (two of his Lordships Servants) unto his own Use, at 2000 l. Rent *per Annum*, and lets the same unto the Farmers at 6000 l. *per Annum*: And, to effect this Surrender, gives Order, in a Time of Scarcity of Money, for the Payment of 14,865 l. due unto the said *Herriot* for Jewels, which was paid, between the 15th of *December*, 1621, and the 10th of *January* following, in this Manner, *viz.* 7000 l. odd Money, out of the Arrears of the said *George Herriot*’s Rents, and

and 7000 l. odd Money, out of the Tobacco Farm, An. 22. James I. 1624.
by way of Anticipation.'

' The Crime objected against the Lord Treasurer herein is this: Had *Herriot's* Lease continued, *Herriot's* Debt had been paid out of his Rent; and the said Treasurer has not only caused the said Lease to be surrendered, and procured a new Lease thereof unto his Servants, to his own Use, at a far less Rent; but hath laid 7000 l. of that Debt upon the Farm of Tobacco: And this he hath done in a Time of Scarcity of Money, even then when he caused the Impositions to be laid on the Wines for a Supply for the *Palatinate*: And further, he hath paid the smaller Rent of 2000 l. *per Annum*, very slowly unto the King; an Arrear of 3000 l. thereof being paid since the 31st of *December* last, after the Summons of this Parliament.'

' And whereas, for the Advancement of Trade, the Merchants, upon the Exportation of their Merchandizes, are repaid their Custom, which they formerly paid upon the Importation: This is denied upon the Exportation of Sugars, to the Damage of the Merchants, and for the Lord Treasurer's private Gain.'

' Then the Clerk read the Proofs, *viz.*

The Certificate of Sir ROBERT PYE and Sir EDWARD WARDOUR.

Mr. Herriot's Debt due to him for Jewels, and in what Manner he was paid the same, between December 1621, and January following, viz. Certificates and Examinations thereupon.

' December 17, 1621, there was	l.	s.	d.
' allowed (by Order from the			
' Lord Treasurer, December 15,			
' 1621) unto Mr. Herriot for	792	13	6
' Jewels sold to the late Queen			
' Anne, in part of Payment of			
' 3584 l. 16 s. 10 d. the Sum of			
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Brought over

l. s. d.
792 13 6

<ul style="list-style-type: none"> More allowed unto him by like Order from the Lord Trea- surer, <i>December</i> 17. in full Payment of the said Sum of 3584 l. 16 s. 10 d. 	<ul style="list-style-type: none"> 2792 3 4
	<hr/> 3584 16 10

<ul style="list-style-type: none"> <i>January</i> 10, 1621, more al- lowed unto Mr. <i>Herriot</i>, by several Orders from the Lord Treasurer, for Jewels, &c. by him, at sundry Times, delivered, and now paid for, between the said 15th of <i>December</i>, 1621, and the 10th of <i>January</i> following, over and besides the Sums above mentioned 	<ul style="list-style-type: none"> 11,280 3 2
---	--

<ul style="list-style-type: none"> The Sum Total of all the Mo- ney allowed by the Lord Trea- surer, unto Mr. <i>Herriot</i>, is 	<ul style="list-style-type: none"> 14,865 0 6
---	--

*The Manner how these Monies were allowed and paid
unto Mr. Herriot, was as followeth :*

<ul style="list-style-type: none"> <i>December</i> 15, 1621, there was a Tally struck, at the Receipt of the Exchequer, upon the Farm of the Impost of Su- gars, being the Remainder in Mr. <i>Herriot</i>'s Hands upon his Account for 	<ul style="list-style-type: none"> 2133 10 6
<ul style="list-style-type: none"> There was likewise another Tal- ly struck upon the Sugars, for a whole Year's Rent due at <i>Christmas</i>, 1621, then next following, by Mr. <i>Herriot</i> for 	<ul style="list-style-type: none"> 5666 13 4

Brought

Of ENGLAND. 259

	l.	s.	d.	An. 22, James I. 1624.
<i>Brought over</i>	7800	3	10	
January 10, 1621, there were likewise two other Tallies more struck upon <i>William</i> <i>Burton</i> and <i>Peter Sanderson</i> , on the Tobacco Farm newly lett to them by Letters Pa- tent dated Dec. 21, 1621, by way of Anticipation, for the Sum of	7064	16	2	
	14,865	0	0	

*This being clear'd, the new Grant of Sugars began
the — of January, 1621, as followeth:*

January 23, 1621, the Lease of Sugars was granted unto <i>Ni-</i> <i>cholas Harman</i> , and <i>Thomas</i> <i>Catchmay</i> , by Indenture, da- ted Jan. 23, 1621, Anno 19. Jac. but they paid not their first Half-Year's Rent untill Jan. 23, 1622, which was then paid for the Half- Year ended at <i>Midsummer</i> , 1622,	1000	0	0
Paid by them for the Half- Year's Rent due at <i>Christmas</i> , 1622,	1000	0	0
More paid by them the same Day for the Half-Year's Rent at <i>Midsummer</i> , 1623	1000	0	0
Also paid by them for the Half- Year's Rent, due at <i>Christmas</i> last, 1623,	1000	0	0
	4000	0	0

RO. PYE.
EDW. WARDOUR.

G. Cant.
H. Mandeville.
H. Southampton.

Tho. Cov. & Litch.
A. Bath. & Wells.
H. Danvers.

R 2

The

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An. 22. James I. 1624. *The Examination of Sir JOHN WOLSTENHOLME, Knight, ABRAHAM JACOB, and HENRY GARRAWAY, taken the 27th of April, 1624.*

The said Examinants say, ' That they and Mr. Morrice Abbot, and Mr. Dawes, are Farmers to the Lord Treasurer of the Farm of Sugars, at the Rent of 6000 l. per Annum. And say, There is not any Allowance made to the Merchant, upon the Exportation of Sugars, of the Impost which the Merchant paid upon the Importation of the same, according as in the Case of other Merchandize. And they say, That paying so great a Rent, they may not allow the Impost to the Merchant, unless they have their Rent abated, or that his Majesty will bear the Burthen and Charge of that Allowance. And say, That they have moved the Lord Treasurer, that an Allowance be made to the Merchant for the Advancement of Trade; and his Lordship took the same into Consideration, but hath not given Direction therein. And further say, That such as farmed the Sugars before these Examinants, did not give that Allowance; and therefore these Examinants, following the same Courses, did not yield any Allowance, more than had been before their Time.

JOHN WOLSTENHOLME.
ABRAHAM JACOB.
HENRY GARRAWAY.

G. Cant.
Tho. Cov. & Litch.
T. Wentworth.
H. Danvers.

H. Mandeville.
Arthur Bath. & Wells.
T. Howard.
R. Spencer.

' The Examination of George Stroud, George Kendal, and Abraham Dawes, to prove the same, touching the Impost not paid, were to the same Effect as the above.'

‘ As to this Part of the Charge the Lord Treasurer confessed, *That the Lease to Herriot was at the Rent of 5666 l. 13 s. 4 d. and the Lease to his own Use, (upon the Surrender) at 2000 l. Rent ;* An. 22. James I. 1624. *and that he hath let the same at 6000 l. per Annum ;* The Lord Treasurer's Defence. and affirmed, *That his Majesty was first acquainted with it, and well allowed thereof.*

‘ Hereupon the Lord Keeper signified to the House, that the King had commanded him to tell their Lordships, That his Majesty understood that the Lord Treasurer should gain by his Lease 4000 l. per Annum.----So there was no further Proceeding in that Point of the Charge.’

‘ The Lord Treasurer also confessed, *That he paid Herriot 14,000 l. odd Money ;* but affirmed, *That it was a just Debt, and that Herriot had a Power to pay himself, by a Privy Seal, out of his Rent.*

‘ His Lordship denied, *That he paid 7000 l. of that Debt out of the Tobacco Farm, by way of Anticipation ;* and said he only transferred it from the Sugars to the Tobacco, and justified the same ; for *that the King's Meaning was, That he should have 4000 l. per Annum out of the Impost for Sugars, presently upon his Surrender of the Wardrobe : And the King lost not by it, for he, the Lord Treasurer, had, for the Disbursements of the Wardrobe, 20,000 l. per Annum, which he hath now settled at 16,000 l. per Annum, and yet the King's State therein maintained, and a Noble Gentleman rewarded.*

‘ Touching the slow Payment of his Rent, he denied it not ; but said, *He had disbursed as much, or more, before-hand for the King in other Matters.*

‘ As touching the Impost not return'd upon the Exportation of Sugars, his Lordship denied, *That it was ever demanded of him ;* and affirm'd, *That if it be due, then the Farmers are tied by his Lease to them to repay it ; but if they be not so tied, that then he will pay it all, both for the Time past and to come.* And thus ended the Charge for the Sugars.

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G R O C E R Y.

An. 22. James I.
1624.

The Charge as
to Groceries.

‘ Then Mr. Sergeant *Crew* open’d the Charge against the Lord Treasurer, touching his Lordship’s Warrants to levy Compositions for Purveyance of Groceries in the Out-Ports, after this Manner, viz.

‘ That the City of *London* did compound with the King for Groceries : But the Out-Ports refused especially *Bristol*, and yielded to Purveyance Kind ; and that *Bristol* had an Order for this the Exchequer, in the Time of *Robert* Earl of *Salisbury*, late Lord Treasurer : Yet, notwithstanding this, the Lord Treasurer directed his Warrants to levy this Composition ; and, altho’ it was not due to the King, nor any such Composition entered into the Compting-House, his Lordship commanded their Goods, then in the Ports, to be stayed, and not entered, till it was paid, or Bonds given for it ; and thereby constrained some Ports to pay it, and the Merchants of *Bristol*, who denied to attend his Lordship ten Weeks together, to be discharged ; and yet Bonds were exacted from the Merchants of *Bristol* for the Payment thereof after the Lord Treasurer was acquainted with the said Order in the Exchequer, even till the Summons of Parliament ; for which Mr. Sergeant *Crew* charged the Lord Treasurer with Oppression and Extortion, contrary to his Lordship’s Oath *To do Right to the Poor and Rich in such Things concern his Office.*

‘ Then the Clerk read the Proofs, viz.

The Examination of JOHN GUY and JOHN BAKER, taken the 21st of April, 1624.

The said Examinants say, ‘ That in the Time of the Lord Treasurer *Salisbury*, a Reference was made by his Lordship to the Lord Chief Baron and Baron *Snigg*, touching a Composition then demanded of the Merchants of *Bristol*, for Purveyance for Wines and Groceries ; and, upon due
‘ liberal

liberate Hearing, the Officers of the Household being present, it was then resolved, That they should not be pressed to those Compositions, but should submit to Purveyance when his Majesty or the Queen came within twenty Miles of that City; and accordingly, at Queen Anne's being at the Bath, they did submit to Purveyance, to the Charge of 800 l. yet, in November was Twelve-Months, upon a Warrant from the Lord Treasurer, they were pressed to pay Composition for Grocery, after the Rate as was paid at London; and were forced to enter Bonds for Payment or discharging by a Day: That hereupon this Examinant, John Guy, attended the Lord Treasurer to be freed, and shewed him the Proceedings before mentioned; but could get no other Relief but a Letter, of which he now delivered a Copy to the Lords Committees, which Copy this Examinant had from his Lordship's Secretary; ever since which Time the Officers have pressed the Merchants to enter Bonds, till about the Beginning of the Parliament: But, since that Time, the Officers have accepted the Merchants Words. And saith, That the Copy of the Lord Treasurer's Warrant, or Letter, dated the 20th of November, 1622, is a true Copy of the Letter which came to the Port of Bristol, and is now in the Hands of the Lords Committees; and since that, they have attended ten Weeks at one Time, and have had Agents for the City of Bristol three Times, and have spent above 100 l. in Charges, to be eased of this Burthen. And they further say, They never paid any Composition for Wines or Groceries, untill the Lord Treasurer's Warrant.

An. 22. James I.
1624.

JOHN GUY.
JOHN BARKER.

H. Mandeville.
H. Southampton.

Theo. Howard.

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An. 22. James I. *The Information of JOHN CHAPPELL, taken upon
1624. Oath the 29th of April, 1624.*

‘ That in the Custom-House of the Port of
‘ *Exeter*, there hath been collected, for the Com-
‘ position Money of Grocery, of and from every
‘ Merchant which hath made any Entry in the said
‘ Custom-House, since the 24th of *November*,
‘ 1622, by Warrant under the Hand and Seal of
‘ the Lord High Treasurer of *England*, of the
‘ Goods following, these several Rates,
‘ Pepper, Cloves, Mace, Nutmegs, Cinamon,
‘ the C. Wt. ————— xvij d.
‘ Ginger the C. ————— xij d.
‘ Raisins of the Sun, the C. ————— ij d.
‘ Prunes, the Tun ————— xvi d.
‘ Sugar, in Loaves ————— vi d.
‘ Almonds, the C. ————— vi d.
‘ Currants, the Tun ————— ij s.
‘ Oil, the Pipe ————— ij s.
‘ Coarse Sugar, the C. ————— ij d.
‘ Figs, the Barrel ————— i d.
‘ Figs, the Piece ————— ij½ d.
‘ Figs, the Tapnet ————— ob.
‘ Raisins, *Malaga*, the Piece ————— i d. ob.
‘ Dates, the C. ————— viij d.
‘ Rice the C. ————— iiij d. ob.
‘ Sugars, Powders, Whites, and Muscavadoes xx d.
‘ Olives, the Tun ————— iiij d.
‘ *Castile, Venice*, and other Kinds of Cake Soap,
‘ the C. ————— vi d.
‘ Anniseeds, the C. ————— ij d.
‘ Sugar refined, the C. ————— viij d.
‘ Liquorice, the C. ————— ij d.
‘ The Merchants Entries in the Custom House,
‘ for any of these Goods, could not be allowed be-
‘ fore they had compounded with the Assigns of
‘ Mr *Abraham Jacob*, to pay the said Composition
‘ Money, specified in these several Rates.

JOHN CHAPPEL,

*H. Manderville.
H. Southampton.*

Ro. Spencer.

‘ Then

‘ Then were read, the Lord Treasurer’s general Warrants to *Abraham Jacob*, to levy the said Composition, and not to suffer any Goods to be landed, &c. in *London*, and the Out-Ports, untill the said Composition be first duely satisfied, and paid as hath been accustomed:’ An. 22.
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‘ The Copy of the Lord Treasurer’s Letter to the Customers of *Bristol*, reciting a Composition for *Grocery*, and that heretofore divers Letters and Warrants have been sent to *Bristol*, and all other Ports, for the Collection thereof by the late Lord Treasurer *Dorset*; and commanding that no Goods be permitted to be landed, &c. untill the said Composition be paid, and to be aiding for the due Collection thereof, according to the said Letter, dated the 20th of *November*, 1622:’

‘ The Copy of the Treasurer’s Letter to the Customers of *Bristol*, dated *February* 24th 1622. Wherein his Lordship takes Notice of an Agreement made between the late Lord Treasurer *Salisbury* and them of *Bristol*, touching the Composition for *Spices*; and requires the Officers to accept of the Merchants Bonds, with Sureties for the Payment thereof, untill he had fully considered of the said Agreement:’ Also

‘ The Relation of *Thomas Griar* upon Oath, That this Composition is demanded and paid in *Weymouth*, and their Goods not suffered to be landed untill it be paid;’ And

‘ The Lord Treasurer’s Warrant to *Poole*, for the Collection of the said Composition, dated the 24th of *April*, 1622.’

The Lord Treasurer answered, *That herein* The Lord Treas.
furer’s Answer
thereto.
be did but his Duty; and that if he had neglected it, he had not done his Duty: That he required nothing to be done, by his Warrants, but what was accustomed in Queen Elizabeth’s Time, and in all the King’s Time: That his Warrants were according to be usual Form, and general to all the Ports, not vowing that Bristol was exempted by the Order in the Lord Treasurer Salisbury’s Time, untill
ords: That when he knew of it, he yield

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An. 22. James I. 1624. *Request, and Guy went away well satisfied with his Answer: And that none had Benefit by the Composition, but the King only.*

‘ The Clerk read the Examinations taken on his Lordship’s Behalf, *viz.*

The Examination of Sir SIMON HARVEY.

‘ That Composition for *Grocery* was usually collected in all the Out-Ports (save *Exeter* and *Bristol*) in the Lord of *Dorset*’s Time; and that himself received the same for four or five Years; and that they were but for petty Things, for the most part Things brought in by way of Reprisal, in the Time of Queen *Elizabeth*. That Mr. *Jacob* was appointed to levy the same for the King. That the Citizens of *Bristol* did acquaint the Lord Treasurer with the Order to exempt them from Composition, and the Lord Treasurer sent this Examinant to treat with them to yield to Composition, which they denied: Whereupon the Lord Treasurer answered, *Let them stand to the Earl of Salisbury’s Order*; other Discharge he gave them none: And this Examinant thought they went away well satisfied, for they heard what the Lord Treasurer said.’

The Examination of JOHN CLARKE.

‘ That Mr. *Jacob* was appointed to levy the same Composition, by Warrant from the Lord Treasurer; the Ground whereof was, because the receiving thereof was taken away from *Thomas Barret*, the King’s Grocer, who had given 1200 l. And that those Duties had been duly levied in some of the Out-Ports, but *Exeter* and *Bristol* stood out; he hath not known any of those Duties taken since the Queen was at the *Bath*; and that there is a Table in the Custom-House of *London*, to shew the Composition for *London*.’

‘ Mr. Sergeant *Crew* replied, That there is no Table in the Custom-House, to shew any Composition

tion for the Out-Ports; and caused the Clerk to read the Examination of *John Guy*, on the Part of the Lord Treasurer, taken *May 1st, 1624*, which agrees, in effect, with his former Examination, taken for the King; and that after he, and others of *Bristol*, had long petitioned the Lord Treasurer to have their Bond cancelled and delivered, which they had entered for the Payment of the said Composition, they could not obtain any Thing, save some good Hopes and fair Words from Sir *Simon Harvey*; and that their Bonds are yet detained.' An. 22. James I.
1624.

The Lord Treasurer affirmed to the Lords, *That himself knew this Composition to be paid by the Out-Ports, and that his Warrant was only to levy the same, as formerly it had been paid; and promised to send Barret's Books and some Notes out of the Compting-House, to prove the Payments thereof heretofore by the Out-Ports.* Then the Lord Treasurer was withdrawn.

'Ordered to be here again at the Bar at Two this Afternoon, and agreed to have a Stool whilst the Charge is in giving.'

Post Meridiem. 'The Lord Treasurer being brought to the Bar (in manner as before, and a Stool set for his Lordship,) He informed the House, *That, (according to his Promise this Morning,) Barret is come with Account touching the Grocery paid at Bristol; and it was agreed that they should be brought to the King's Council, to be perused.*'

'Mr. Attorney General proceeded to the Charge concerning the Office of the Ordnance, and the unlawful Bargain for Sir Roger Dallison's Lands, in this Manner, viz.

'That another Charge whereof the Lord Treasurer is accused, is concerning the Office of Ordnance, and the unlawful Bargain for *Dallison's Lands*; in which will appear that the Lord Treasurer, for his own private Benefit, contrived and prosecuted divers unlawful Bargains; and in the mean Time neglected wholly that which concerned the Public, which was the furnishing the Office of Ordnance with

The Charge as to unlawful bargaining for Sir Roger Dallison's Lands.

An. 22. James I.
1624.

with Emptions and Stores, for the Safety of the King and his Kingdoms.

‘ Concerning the Bargains, it stands proved, That Sir *Roger Dallison*, being Lieutenant of the Ordnance, became indebted to the King in 9962 l. for Monies impressed for that Office, but not employed: And that Sir *Roger Dallison* and Sir *Thomas Mounson* were indebted to the King by Bonds to the Value of 3100 l. which Bonds were forfeited for not bringing certain Stores to that Office; both which Debts amounted to 13,062. and the Lands of *Dallison* were extended for 9962 l. and the Lands of *Mounson* for 3100 l. And that *July* 20, 18 *Jac.* the King assign’d these Extents to *Francis Morrice*, Clerk of the Ordnance, and others in Trust for the Officers and Creditors of that Office, towards Satisfaction of so much of their Debts.’

‘ The Lord Treasurer, being a Commissioner for his Majesty’s Debts, *July* 28th, 1621, 19 *Jac.* bargained for those Extents; and by the Articles under his Hand agreed to give for them 1062 l. in Hand, and 12,000 l. more by 1000 l. *per Annum*, for twelve Years, beginning at *Lady-Day*, 1623; and also to do his Endeavour to procure Payment of an Arrear of 8000 l. more, due to that Office from his Majesty: But, before this Bargain was performed, at *Michaelmas* following, he became Lord Treasurer; and when they expected Payment of the 1062 l. and Security for the rest, he propounded that, in lieu of the 12,000 l. to be secured, they should have his Part in the Farms of the Petty Customs for nine Years, valued to be worth 1000 l. *per Annum*, for the two first Years, and afterwards 1400 l. *per Annum*, which, according to that Rate, would yield in nine Years 11,800 l. but cost his Lordship only 3750 l.’

‘ He being then Lord Treasurer, on whom they must depend both for the Payment of the Arrears, and for future Favours, they accepted it; not meaning to lose their 1062 l. payable in Hand, but it

was

was then again directly agreed they should be paid their 8000 l. Arrear out of his Majesty's Coffers.' An. 22. James I.
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' In February 1621, Assurances were prepared, and the Creditors required to seal, being promised to have at the Sealing their 8000 l. Arrears, and expecting their 1062 l. from the Lord Treasurer, whereof they never conceived a Doubt; but so soon as they had sealed, they were sent away without any Money, being promised to receive their 8000 l. within three or four Days after, which was not performed in so short a Time; but was, after, paid in divers several Payments out of his Majesty's Money: But the 1062 l. which was to have come from himself was absolutely denied, the Lord Treasurer affirming, that as well that 1062 l. as the other 12,000 l. was all concluded and recompensed by the Interest in the Petty Farms; whereupon a new Difference grew against them: But in the end they were enforced, in lieu of that 1062 l. to accept of a further Interest, which his Lordship had in the Petty Farms, for an Half-year after the nine Years were expired, esteemed worth not above 400 l. to be sold: And it was then further agreed, that his Lordship should then pay them out of the King's Money 4000 l. due to the Office over and besides the former 8000 l. of which 4000 l. his Lordship hath since caused to be paid 3303 l.'

' But whereas the Petty Customs were valued to them to be worth for the first two Years 1000 l. *per Annum*, it appeareth that, in the two first Years, it yielded them but 1419 l. 17 s. 7 d. being all the Money that grew due to them out of the Profits of those Farms at *Michaelmas* last; whereas if they had kept their Extents of *Dallison's* and *Mounson's* Lands, they should have received by *Lady-Day* last almost 7000 l. for Part of their Debt.'

' In which Bargain, (besides the Oppressions and Extremities put on the poor Creditors and Officers of the Ordnance, that might ill undergo a Bargain of so much Disadvantage and Loss,) are observed two Corruptions; the one, in bargaining to pay the 8000 l. Arrears, for though that was agreed before

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fore he was Lord Treasurer, yet he then was trusted as a Commissioner for the King's Debts; and, being after Lord Treasurer, perform'd that corrupt Agreement made before.

‘ The other Corruption was, in agreeing to pay the other 4000 l. for as it is a Corruption in a Treasurer to pay the King's due Debt for Money given unto himself; so it is to pay the King's Debt, for gaining to himself a Bargain by which he either had or did expect Advantage; and tho' the Lord Treasurer, in his Answer, doth pretend he is a Loser by *Dallison's* Lands, it is certain that whatsoever his Gain or Loss prove upon the other Bargains for the Inheritance of the Lands, this Bargain with the Officers, taken by itself alone, was beneficial; and if it were not, it is all one: For if a Judge, or Treasurer, bargain for a Bribe, though he never receive it, he is corrupt; for it skills not what he had, but what he aimed at and expected.’

‘ About the same Time that the Lord Treasurer bargained for the Extent aforementioned, viz. 28 July, 19 Jac. he contracted with Sir *Thomas Mounson*, for the Inheritance of the same Lands.’

‘ For Sir *Roger Dallison*, after he became Lieutenant of the Ordnance, conveyed the Inheritance of his Lands to secure Sir *Thomas Mounson* of divers great Debts and Engagements; so as the Inheritance of those Lands, after the King's Extent, was in the Dispose of Sir *Thomas Mounson*, who bargained for it with the now Lord Treasurer; and upon that Bargain, the Lord Treasurer agreed to free Sir *Thomas Mounson's* own Lands of the 3100 l. Debt, to pay in 3000 l. in Money, and to procure the making of him six Baronets and some other fit Suit from the King; and when the Baronets could not be obtained, the Number being full then, the Lord Treasurer procured him another Suit of 2000 l. Value, as his Lordship esteemed it, viz. For compounding with the King's Copyholders of *Wakefield*, to reduce their Fines to Certainty, for which Suit the Lord Treasurer was a Referee from the King; and, for Accomplishment of this Bargain, made

made for his own private Gain, he gave way to that Suit whereby so much was to be taken for his Majesty: Yet there rested another Bargain to be made, for Sir *Thomas Dallison*, the Son and Heir of Sir *Roger Dallison*, pretended Title to those Lands by an old Entail; and the Lady *Dallison*, Widow of Sir *Roger Dallison*, claimed to have the third as her Dower; and the Lord Treasurer having entred into Treaty with them, and finding their Demand not suitable to his Desires, he, to make them the more compliant, threatens them, by his Extent, to keep them without any thing for an hundred Years; to lay upon Sir *Thomas Dallison* certain forfeited Bonds, which, upon the Agreement with the Officers of the Ordnance, were transferred to him; and he sends for Sir *John Wolstenholme*, whose Son had married Sir *Thomas Dallison*'s Sister, and rebukes him as an Hinderer of his Lordship's Proceedings with *Dallison*: And by these and other like Means, for an Annuity of 200 l. *per Annum*, procures a Release of their Title; and whereas Sir *Roger Dallison*, being possessed of a Lease of great Value, had assign'd the same to Sir *John Davis*, for Security of Money owing to him and Sir *Richard Smith*, which Lease, for Non-payment, had been long forfeited, and the Possession gotten by Sir *John Davis* upon a Trial and Recovery at Common Law, which Possession had continued divers Years; the Lord Treasurer, by this Agreement with Sir *Thomas Dallison* and his Mother, by way of unlawful Maintenance and Champarty, bought their Title to this Lease; and having hedged in those Lands and the Title to this Lease, exchanged the same with Sir *Arthur Ingram* for other Lands; and then to gain the Possession of those Lease-Lands from Sir *John Davis* and Sir *Richard Smith*, and to make good this Exchange, an old Outlawry against Sir *Roger Dallison*, before the Assignment made by him to Sir *John Davis*, is sought out, the Debt being many Years past satisfied; by colour of which Outlawry and the Power and Countenance of the Lord Treasurer, this Lease was seized

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seized into the King's Hands, and Sir *Richard Smith* and Sir *John Davis* thrust out of Possession; whereupon they endeavoured to reverse the Outlawry in the Common Pleas, and the better to effect it, they procured an Administration of the Goods of Sir *Roger Dallison* to be taken by one *Gamben* a Creditor of Sir *Roger's*, to the intent the said Administrator might sue to reverse this Outlawry; but the Lord Treasurer to prevent them therein, interposeth in the King's Name, and in his Majesty's Behalf, to revoke that Administration; and the better to countenance the Business, sends a Case to the King's Attorney grounded upon other Matters, without mentioning the Outlawry, which was the chief Thing in question; and having obtain'd his Opinion in that Case, sends a Warrant to the King's Advocate, to proceed in the Ecclesiastical Court as for the King; and in a Matter much touching the King, to proceed for Reversal of the Administration; and in the end, by his Means, the Administration was revoked; and afterwards, the Matter coming in question in the Common Pleas, there also he interposed himself; and sent to the Judges of that Court, whereby Sir *Richard Smith* and Sir *John Davis* were at last enforced to accept of a Composition: Now, in Truth, this Matter no ways concerned the King, for this Lease was never extended for *Dallison's* Debt; and before the Lord Treasurer interposed in the Ecclesiastical Court, he had caused a Petition to be made in the Name of Sir *Thomas Dallison* and his Mother to the King; and a Reference thereupon to himself for this Lease, among other Things; it being secretly agreed between him and *Dallison*, that the whole Benefit of this Lease, when his Majesty should be pleased to pass it, should be at the Dispose of the Lord Treasurer.

And whereas the Lord Treasurer would excuse those Proceedings, as being after he had transferred all to Sir *Arthur Ingram*: It is evident that the Lord Treasurer thus interposed; which must be either for his own Benefit, to support his own Bargain,

or meerly by way of Maintenance; and, either An. 22. James I.
Way, his Doings are most unwarrantable, to use 1624.
such Rigour in the King's Name, either for him-
self or Sir *Arthur Ingram*.

* Mr. Attorney having thus opened the former
Part of this Charge, the Clerk, by his Directions,
read the Proofs, viz.

* The Copy of that Agreement, made the 28th
of July, 1621, between the Lord *Cranfield* and the
Officers of the Ordnance, delivered upon Oath by The Proofs
Francis *Morrice*, the 3d of April, 1624; whereby thereof.
the Lord Treasurer doth promise and agree with the
Officers of the Ordnance, so soon as he may con-
veniently, to do his best Endeavour to procure from
his Majesty a certain Assignment and Order for the
Payment of the Sum of 8000 l. unto the Lieutenant
of the Ordnance, or his Deputy, to the Use of the
said Officers, before the last Day of November next,
wards the Payment of such Sums as are due, over
and above the Sum of 13,062 l. for Payment
hereof the said Officers have the Leases of the
lands of Sir *Roger Dallison* and Sir *Thomas Moun-*

Note, That this Agreement also proves the Bar-
gain made by the said Lord *Cranfield*, with the
Officers of the Ordnance, for the said Leases
of the Extents, in Manner as it is cited by Mr.
Attorney.

* And the Examination of *Francis Morrice*,
Clerk of the Ordnance, taken the said third Day
of April, which affirms the said Bargain made by
the said Lord *Cranfield*; and that the said Lord
Cranfield becoming Treasurer, the Payment on his
part did not proceed; but his Lordship, upon a
new Agreement, did assign to the said Officers cer-
tain Leases, which were far over-valued unto them
by his Lordship; and that his Lordship did not
procure the said Assignment of 8000 l. according
to his Agreement, but hath since given Satisfaction
of the said 8000 l. and more, in several Payments
out of his Majesty's Receipt.

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4.

And then was read the Deposition of Lewis Tate, containing a brief Relation of the Lord Treasurer's Dealings with certain Petitioners to his Majesty, for Debts owing to him in the Office of Ordinance; whereby it is also prov'd, That the said Treasurer was then a Commissioner for the King's Debts, and did with the said Officers to accept of the said Leases of Sir Roger Dallison's and Sir Thomas Mounson's Lands, &c. and sets out the whole Proceedings of the Lord Treasurer therein at large. And the Examination of John Fletcher, touching the said Agreement made by the Lord Cranfield, and the Promise to procure the said 8000 l. &c.

The Lord Treasurer's Answer.

And more Proofs offering to be read, the Lord Treasurer said, It is true that he, being a Commissioner for the King's Debts, did advise the said Officers of the Ordinance to accept of a Lease of the Lands of Sir Roger Dallison and Sir Thomas Mounson, extended for the King for 13 062 l. viz. Of Sir Roger Dallison's Lands, extended for 9962 l. and of Sir Thomas Mounson's Lands for 3100 l. and they did accept of them for Payment of 13,062 l. due to them by the King, with a Covenant to resort to the King, if they were interrupted in the Possession of those Lands.

And that he did then find, that there was due unto the said Officers, by the King, about 20,000 l.

That the said Lands of Sir Thomas Mounson were worth 1600 l. per Annum, and were extended but at 200 l. per Annum, Sir Thomas Mounson hoping to have had the Benefit thereof for himself. But, by Sir Edward Coke's Rule, it was passed over the Creditors. That Sir Thomas Mounson afterwards petitioned the King, and his Majesty referred Sir Thomas Mounson to the Lord President and him: That they treated with the Officers, who answered, That they relied on Sir Thomas Mounson's Lands, for that Sir Roger Dallison's Lands were so much encumbered, that they would yield little; yet the Exchequer Chamber would have relieved Sir Thomas Mounson, if he had paid the Debt for which the Lands

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Lands were extended; and then the Officers must have resorted to the King for Recompence: And that if his Lordship gained in that Covenant, by his Bargain with the said Officers, so it was beneficial to his Majesty. And his Promise to the Officers to help them to their 8000 l. Arrear, being a just Debt, was before he was Treasurer; and that it is Heathen-Greek to him, how this should be prejudicial to the King.

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‘ To this Mr. Attorney replied, and affirmed the Bargains to be unlawful as before; and that there was not 8000 l. Arrear due by the King before his Lordship was Treasurer; and then proceeded to the reading of the other Proofs.

Mr. Attorney replies and produces further Proofs.

‘ To prove that, about *July 1621*, his Lordship contracted with *Sir Thomas Mounson* for his Lands for 3000 l. which was paid him, for the making of six Baronets, and a Suit to the King; and, in lieu of the Baronets, a Suit touching the Copyholders of *Wakefield*, valued by his Lordship at 2000 l. were read,

‘ 1. The Examination of *Sir Thomas Mounson*, taken the 5th of *April, 1624.*’

‘ 2. The Examination of *Sir Arthur Ingram*, taken the 12th of *April, 1624.*’

‘ For the 3000 l. and that he signified unto *Sir Thomas Mounson*, that the Lord Treasurer would undertake to procure him the Making of six Baronets; for that the Lord Treasurer had told him, he found the King inclinable to do *Sir Thomas Mounson* good.’

‘ 3. The Copy of *Sir Thomas Mounson*’s Petition to the King, for reducing the Fines of the Copyholders of *Wakefield* to a Certainty, in lieu of some Baronets formerly granted him; and the Warrant thereupon, signed by the Lord Treasurer and *Sir Humphry May*, (to whom it was referred) delivered upon the Oath of *Mr. Brewster*, the 16th of *April, 1624*, was also read.’

‘ And the Examination of *Sir Humphry May*, Knight, Chancellor of the Duchy of *Lancaster*,

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An. 22. James I. 1624. taken the 4th of May, 1624, *ex Parte Domini*

Theſaurarii, That he was preſent when Sir *Arthur Ingram* did, on the Lord Treasuſer's Behalf, bargain with Sir *Thomas Mounſon* for his Lands; which Bargain was, That the Lord Treasuſer ſhould give Sir *Thomas Mounſon* 3000 l. ſhould procure him the Making of fix Baronets, and ſhould extend *Dalliſon's* Lands unto him at 1200 l. *per Annum*; and afterwards, the Baronets being otherwiſe diſpoſed of by the King, Sir *Thomas Mounſon* petitioned the King touching the Copyholders of *Wakefield*.

‘Unto which the Lord Treasuſer answered, *That he never promiſed the Making of the Baronets, nor authorized Sir Arthur Ingram to propound it.*

‘Then was read, to prove the Lord Treasuſer preſſed Sir *Thomas Dalliſon* to part with his Eſtate at Undervalue:

‘1. The Examination of Sir *Thomas Dalliſon*, Bart. taken the 6th of April, 1624.’

‘2. The Examination of the ſaid Sir *Thomas Dalliſon*, taken the 12th of April, 1624.’

‘3. The Examination of Sir *John Wolſtenbolme*, taken the 16th of April, 1624.’

‘And to prove that the Lord Treasuſer, having made theſe Compoſitions, ſets on foot an old Outlawry of Sir *Roger Dalliſon*, long ſince ſatiſfied, thereby to wreſt a Leaſe of great Value from Sir *Richard Smith* and Sir *John Davis*, interpoſing the Power of his Place, and the Countenance of the King's Service, to oppreſs them for his own private Ends, theſe Examinations were read, *viz.*

‘1. The Examination of Sir *Thomas Dalliſon*.’

‘2. The Examination of Sir *Arthur Ingram*, *ex Parte Domini Theſaurarii*, taken the 7th of May, 1624, to the 7th Interrogatory.’

‘3. The Examination of Sir *Richard Smith*, taken the 16th of April, 1624.’

‘4. The Examination of *Robert Eaſton*, taken the 27th of April, 1624.’

‘5. The Caſe brought to Mr. Attorney, by Mr. *Moyle*, with his Direction.’

Me-

Memorandum, That, in that Case, no Mention An. 22. James I. 1624. is made of any Outlawry ; but that the King was unsatisfied of *Dallison's* Charge.

6. The Lord Treasurer's Letter to *Dr. Ryves*, the King's Advocate, to revoke the Letters of Administration of *Dallison's* Goods.'

' These being read, the Lord Treasurer again affirmed, *That his Bargain with the Officers of the Ordnance was beneficial for the King, for it gained in his Majesty's Covenant of Resort from the Officers.* And said further, *That it was not prejudicial to the Officers ; for if his second Bargain be not as beneficial to them as the first should have been, he is to make it good.*

And that Sir Thomas Dallison, and his Lady Mother have Relief thereby, and himself a great Loser, at least 4000 l. having taken up 16,000 l. for it, for which he pays Interest at this Day.

And his Lordship denied, *That he drew the Case,* The Lord Treasurer's Answer thereto. *delivered to Mr. Attorney, touching the Administration of Dallison's Goods ; and said, He deserved to be hang'd that drew it.* And, having spoken as much as he could, the Clerk read the Heads of the Examinations taken on his Part ; and Mr. Attorney confessed them, and avoided them all ; where-with his Lordship seemed to rest satisfied, for he did not require any Thing else to be read : But said further, *That he had paid Arrears to the Officers of the Navy, as well as those of the Ordnance ; which shews he did not pay them by way of a Bargain only.* And then saying, *He would add no more, he was withdrawn.'*

' Then it was agreed that Mr. Attorney should begin To-morrow, where he now left, with the rest of the Charge ; and that the Lord Treasurer be warn'd to appear here again at the Bar To-morrow Morning at Nine of the Clock.'

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An. 22. James I. 1624. *May 11.* A Petition of the Lord Treasurer was read, *in hæc Verba:*

To the Most Honourable Assembly of the Lords Spiritual and Temporal, in the High House of Parliament assembled.

His Petition for further Time, on account of Sick-ness.

With most humble and thankful Acknowledgement of your Lordships honourable Patience, in bearing those Parts of my Cause which are already open'd, I am now most humbly to beseech your Pardon of mine Appearance before your Lordships this Day; finding myself so dislemper'd in my Body, and my Spirits so weaken'd and spent, as, out of Necessity, enforceth me to be an humble Petitioner unto your Lordships for this little Respite of Time; my End and Desire herein being to enable myself to obey all your Commands, and to hasten the End of this Cause of mine; whereof I doubt not but your Lordships, in a true and noble Sense of my Cause, will honourably consider accordingly.

MIDDLESEX.

A Committee of Lords appointed to visit him.

'The House having considered of this Petition, appointed the Earl of *Southampton*, the Earl of *Essex*, the Bishop of *Coventry and Litchfield*, the Bishop of *Bangor*, Lord *Cromwell*, Lord *Say and Seale*, to go presently to the Lord Treasurer's House, and to take a Physician with them; and to signify to his Lordship the Displeasure of the House, for that he hath first taken Leave of himself to be absent, and now craves Pardon for it; whereas his Lordship ought first to have craved Leave to be absent. And also to signify unto his Lordship, (unless they shall see Cause to the contrary by reason of his Sicknes) that the Pleasure of the House is, That his Lordship appear here this Afternoon, at Two of the Clock; and that if his Lordship shall fail to come accordingly, that the House will proceed, as well touching such Parts of his Charge as are already open'd, as for the rest of his Charge also.'

‡ These

‘ These Lords being return’d from *Chelſea*, where the Lord Treafurer then lay, the Earl of *Southampton* reported, That they delivered the ſaid Meſſage unto his Lordſhip, whom they found in his Bed, but not ſick, for ought their Lordſhips or the Phyſician could perceive; neither did his Lordſhip pretend any Sickneſs. And their Lordſhips having delivered their Meſſage unto him, he excuſed his not aſking of Leave firſt to be abſent; *for that he had not Warning to be here this Morning untill after the Houſe was riſen the laſt Night; and ſince the Pleaſure of the Houſe is ſuch, he will attend this Afternoon, if he hears not, by ſome Meſſage from their Lordſhips, that they will be pleaſed to reſpite him till To-morrow Morning.*

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‘ And the Earl of *Effex* made this further Report, viz. Having this Day delivered to the Lord Treafurer the Meſſage we were commanded by the Houſe, his Lordſhip (beſides the Answer that hath been returned to the Houſe) did let fall theſe Speeches in Subſtance; *For a Man to be thus followed, Morning and Afternoon, ſtanding eight Hours at the Bar, till ſome of the Lords might ſee him ready to fall down; two Lawyers againſt him, and no Man of his Part, was ſuch Proceedings as never were heard of; and he knew not what it meant, for it was unchriſtian-like and without Example; and deſired they would deal with him as he would deal with one of them: for it was his Caſe To day, and might be theirs To-morrow.* This Answer was ſigned by theſe Lords, viz.

H. Southampton.

Lewis Banger.

Ro. Effex.

Tho. Cromwell.

Tho. Cow & Litch.

W. Say & Seale.

To whom he
complains of hard
Uſage.

‘ *Poſt Meridiem.* The Lord Treafurer being brought to the Bar (as before) the Clerk read that Part of the Charge againſt his Lordſhip that concern’d the

M U N I T I O N S.

‘ The Lord Keeper moved that Mr. Attorney ſhould do keep himſelf to that Charge.’

M

An. 22. James I. 1624. ' Mr. Attorney proceeded in this Manner, *viz.*

' As in the Bargains and Proceedings (which were opened Yesterday) the Lord Treasurer was over much attentive to his own private Profit, so in the Supply of the Office of Ordnance (a Matter of high Importance for the Safety of the King and his Kingdoms, and in a Time when all *Christendom* besides ourselves was in a Combustion,) he was wholly remiss: For whereas, by a Privy-Seal in 6 *Jac.* there was a private Establishment of 6000 l. *per Annum*, for the Office of Ordnance, which being put out of Order in the Time of Sir Roger *Dallison*, about 12 *Jac.* the Lords of the Council, in November 1617, upon Reference from the King, set down a Proportion of Supply, amounting to 54,078 l. 8 s. 8 d. and the standing Allowance of 6000 l. *per Annum* to continue. And after in February 1619, there being a Commission awarded to the Commissioners of the Navy, to survey the Office of Ordnance, the said Commissioners (the Lord Treasurer himself being a chief Man among them) set down a Proportion of Supply amounting to but 13,640 l. 14 s. 2 d. and a yearly Allowance of 3000 l. retrenching it to that Rate from 6000 l. and did set down a Course that this being observ'd, a needless Charge of about 10,000 l. *per Annum*, should be cut off, and this was allowed both by the Lords and by the King himself.'

' The Earl of *Middlesex* becoming Treasurer about *Michaelmas* 1621, and having continued in that Office about two Years and a Half, did observe none of these Establishments; whereby the Office is at this present both unrepaired and unsupplied, and the Kingdom of *Ireland* destitute of any considerable Quantity of Arms and Munition: For it appears by the Records of the King's Receipt, That all the Monies which the Lord Treasurer in his Time issued for a Supply of the Ordinary of the Office of Ordnance, was but 13,034 l. 8 s. 11 d. of which 8000 l. and odd Pounds was for old Arrears, 3300 l. more grew due of latter Time, but were paid, not out of Duty, or Care of the Public,

lic, but by Bargain and Contract: And most of these Monies issued (besides old Arrears) were for Wages and Allowances of Officers, and little or nothing for Stores and Provisions. For upon the Quarter-Books paid by his Lordship, beginning at the Quarter-Book ended *ultimo Junii* 1620, unto the Quarter-Book ended *ultimo Decembris* 1622, there being about 5500 l. paid 4600 l. and odd thereof went to the Officers, but the Stores and Provisions amounted to but 900 l. and odd Pounds: A weak Supply in so long Time.

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And whereas in *April* 1621, a Contract was made with Mr. *Evelyn*, for serving his Majesty with 80 Lasts of Powder yearly, by monthly Proportion, at 7 d. the Pound, which Proportion being kept would have yielded a plentiful Supply into the Office of Ordnance, and the Overplus might have been sold at 3 d. the Pound Profit to his Majesty. The Lord Treasurer (tho' he was continually solicited by *Evelyn*) did not make the Payment, which should have been made upon that Contract; where-by *Evelyn*, according to the Liberty that was allow'd by his Contract, sold his Powder to others; and, in thirty-five Months after that Contract, served into the Stores but fifteen Months Proportion; and upon Breach of this Contract did ensue these Inconveniencies, *viz.*

That the Stores which, for the Service of all his Majesty's Kingdoms, might have had in Readiness 266 Lasts of Powder, and 60 Lasts of Salt-Petre, which would have really made 80 Lasts of Powder more, (in all 346 Lasts) are greatly injured by this Neglect: For, upon a late Survey, there were in all but 130 Lasts in the Stores, and yet *Ireland* wholly disfurnished: And besides, his Majesty, by Sale of the Overplus of the Powder alone (above the Proportion thought fit to be kept by the Commissioners of the Navy) might have gain'd 3 d. in every Pound, which would have amounted to 4059 l. and above, all which his Majesty lost by this Default of the Lord Treasurer. And whereas his Lordship excuseth these Things by

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by pretence of *Sadler's* Complaints, it appeareth that thole Complaints grew by occasion of *Evelyn's* felling of Powder to others, not to the King; which had never been if he had had due Payment: And the Lord Treasurer was warned, both by the Lord *Crew* and by the Commissioners of the Navy, to have special Care of these Points, to save the Contract, it being of high Consequence.'

' Then the Clerk read the Proofs, viz.

Proofs thereof.

' To prove that the King granted a dormant Privy-Seal *May* 28th, 6 *Jac.* for the issuing 6000 l. *per An.* for the Office of the Ordnance were read,

' The Copy of the said Privy-Seal, to prove that this Allowance was paid untill *April* 1st, 1614, and about that Time the Office was put out of Order by Sir *Roger Dallison*, and he grew into great Arrears to the King.'

' A Declaration (by the Officers of the Ordnance deliver'd upon Oath *April* 6, 1624,) of the Cause of the present Weakness of the Stores of his Majesty's Office of the Ordnance.'

' To prove that in *November* 1617, the Lords, upon a Reference from the King, did set down a Proportion of Supply amounting to 54,078 l. 8 s. 8 d. was read the said Declaration of the Officers of the Ordnance.'

' To prove that in *February* 1619, the King granted a Commission unto the Commissioners of the Navy, to survey the Office of the Ordnance, and that in *July* 1620, the Commissioners of the Navy (the Lord Treasurer being one) return'd a Certificate for Supply of the said Office with 13,640 l. 14 s. 2 d. and to retrench the Ordinary from 6000 l. to 3000 l. *per Annum*, to cut off some needless Charges, amounting to 10,000 l. *per Annum*: And that this was allow'd by the King, and the Lords, was read,

' The Deposition of Mr. *John Cooke*, the 5th of *April*, 1624.

' To prove that in *October* 1621, the Earl of *Middlesex* became Lord Treasurer, and that in two Years

Years and a Half he pursued none of these Establishments, was read, An. 22. James I.
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‘ The said Declaration of the Officers of the Ordnance, and the said Depositions of the said Mr. *John Cooke*.’

‘ To prove that, by this Means, the said Office is both unrepaired and unsupplied, and *Ireland* hath not any fit Proportion of Munition, was read,

‘ The said Declaration of the Officers of the Ordnance, and the said Depositions of the said Mr. *John Cooke*, as touching the Office of the Ordnance:’

‘ And the Abstract or Estimate of all the Armour, Arms, Powder, Lead, and Hand-Weapons, remaining in the several Store-Houses within the Realm of *Ireland*, the 1st of *March* 1623, deliver’d upon Oath by the Lord *Cranfield*.’

‘ To prove that in *April* 1621, a Contract was made with *John Evelyn*, to serve 80 Lasts of Powder yearly, at 7 d. the Pound, and that this Contract hath been broken in the Lord Treasurer’s Default, whereby there was 216 Lasts of Powder less in Store than would have been, and the King hath lost 4050 l. in the Sale of 80 Lasts of Powder which he might have sold, if that Contract had been observed at 10 d. the Pound, the King paying but 7 d. and that the Lord Treasurer was warned thereof, were read,

‘ The said Depositions of Mr. *Cooke*.’

‘ The said Declaration of the Officers of the Ordnance:’

‘ The Examination of *John Evelyn*, taken the 9th of *April*, 1624:’

‘ The said Examination of *John Evelyn*, taken on the Part of the Lord Treasurer, the 5th of *May* 1624:’

‘ And the Examination of *Nicholas Scott*, taken on the Part of the Lord Treasurer, the 4th of *May* 1624:’

‘ The Lord *Crew*’s Letter to the Lord Treasurer, the 6th of *November* 1621:’

‘ Two

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‘Two Certificates of the Commissioners of the Navy, the one of the 9th of *May* 1622, and the other the 4th of *November* 1622, deposed by *John Evelyn*, 9th of *April* 1624.’

‘And an Abstract of the Money paid out of the Receipt of his Majesty’s Exchequer, for Charges of the Office of Ordnance, from *Michaelmas* 1621, in the 19th Year of his Majesty’s Reign, untill the 2d of *April* 1624, examined and deliver’d by Sir *Robert Pye*, Auditor of the Receipt of the Exchequer, was also read, to shew what the Lord Treasurer had paid concerning that Office.’

The Lord Treasurer’s Objections to Mr. Attorney’s Manner of Proceeding.

The Lord Treasurer answered, *I had need, in the first Place, to pray for Patience, so much Pains being taken by Mr. Attorney to make me appear a faulty Man.*

‘Unto which the Lord Keeper reply’d, That the Lords conceive that these Words are a Wrong done unto them; and, he conceived, that they are a greater unto his Lordship, the Lord Treasurer, who being a Judge, makes no Difference of a Charge.’

‘The Lord Treasurer answered, *That he is injuriously dealt withall, and that no Peer hath been charg’d in this Place before by the King’s Counsel.*

‘And being demanded by the Lord Keeper, wherein he is injuriously dealt withall, he answered, *By Mr. Attorney’s opening the Proofs by Parcels, and by directing Parts of the Depositions to be read, which should have been done wholly and together.*

‘The Lords conceived themselves to be wronged by these Words, for that Mr. Attorney had done nothing but as Attendant to the House, and by their Direction; and therefore the Prince his Highness willed him (the Lord Treasurer) to clear Mr. Attorney, or else this Aspersions will light very heavy upon him.’

Who is justified by the Lords.

‘And the House did acquit Mr. Attorney for any Thing he had said or done herein.’

‘Then Mr. Attorney opened the Heads of the Charge again, *viz.*

‘The

‘ The first Settlement of the Office of the Ord-
nance, *Anno 6. Jac.* An. 22. James I.
1624.

‘ The second Settlement by the Lord Treas-
urer Salisbury, *Anno 1617.*

‘ And the third Settlement by the Commission-
ers of the Navy, 1620. And that the Lord
Treasurer had observed none of them.’

‘ The Lord Treasurer answered, as touching
the second Settlement, *Nothing hath been done upon
it to this Day; and yet it was made four Years before
he was Treasurer.*

His Lordship’s
Defence against
the Charge of
Want of Muni-
tions.

‘ As touching the third Settlement, *It was pro-
pounded only, and opposed, but never allowed; if al-
lowed, it was thirteen Months before he was Treasu-
rer, and yet nothing done in it, as by Cook’s own
Oath: That he had no Privy Seal for it. And how
then can he be charged for the Breach of that Settle-
ment which was never settled? But he will not give
that for Answer. And then his Lordship affirm’d,
That the Stores are furnished, and that he had paid
all the said Ordinary of 3000 l. per Annum, save
300 l. tho’ no Privy-Seal was issued out upon that
Book presented by the Commissioners of the Navy; and
paid divers other Sums of Money for Provisions of the
Stores; whereof his Lordship recited the particular
Sums: And whereas that Office was unsettled by Sir
Roger Dallison, he, being a Commissioner for the
King’s Debts, found due to the Officers 18,000 l. and
caused 13,000 l. of it to be paid by Dallison’s Lands,
and the rest to be paid also afterwards; so that a
small Sum will now settle that Office, which was
then so unsettled.*

As touching the Powder, *That when he came to
be Treasurer, he found but 116 Lasts of Powder,
whereof 21 Lasts, delivered by Evelyn, were left un-
paid for; and that he paid him 2000 l. Arrears:
Tho’ 60 Lasts of Salt Petre be not in the King’s
Stores, yet there is so much in Evelyn’s Ware-House;
and then it is the King’s. Neither can the King re-
ceive such Detriment or Loss; for when Evelyn is
paid*

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paid, he is to make Allowance of the Powder by him sold. And affirmed, That he had paid more for Powder than was paid for seven Years before.

‘ And his Lordship directed to be read the Examination of *Andrew Bassano*, taken on his Lordship’s Part the 4th of *May*, 1624.

Who deposeth to the third Interrogatory, ‘ That the Total of Gun-Powder, remaining in the Stores of the Office of Ordnance, on the 1st of October, 1621, was 116 Lasts, or thereabouts ; and the Store of Powder remaining in the Stores of the said Office, on the last Day of March, 1624, was 130 Lasts, or thereabouts, whereof 19 unserviceable, &c. And that the Arrears for Gun-Powder was paid to Mr. Evelyn by the now Lord Treasurer ; but what the Arrears were the said Deponent knoweth not, &c.’

‘ Mr. Attorney replied, That Mr. Evelyn cannot be called to an Account but for the Powder sold after he is paid, and not for any Powder sold before he is paid.’

‘ And, to prove the same, the Clerk read the Abstract of the Covenants with *Evelyn*, viz. Of the sixth Covenant, to account for the Powder sold after Payment.’

‘ And whereas the Lord Treasurer affirmed, *That the third Settlement, made by the Commissioners of the Navy, was opposed, and so not settled.* It is true, said Mr. Attorney, it was opposed by the Officers of the Ordnance, and yet afterwards submitted to by them ; so then it wanted nothing but a Privy-Seal to settle it : And that his Lordship was not to expect that the Officers of the Ordnance would further this Proposition of the Commissioners of the Navy, touching the said Settlement ; for it took from them 10,000 l. yearly in Fees, and other Unnecessaries ; so that it concerned his Lordship (who knows this, being one of the Commissioners) to see it settled by a Privy-Seal and observed ; and yet his Lordship hath done nothing in it these two Years and a Half since he was Treasurer.’

‘ And

‘ And as touching those particular Sums of Money, which his Lordship recites to be paid by him for Provisions, Mr. Attorney replied, That besides the said 13,000 l. paid by *Dallison’s* Lands, and the said 8000 l. paid by his Lordship, upon his Lordship’s aforesaid first Contract with the Officers, and the 4000 l. upon his said second Contract, his Lordship has not paid a full 1000 l. for Provisions, the rest he paid for Wages only; and that thereby the Stores are found to be unfurnished and weak, which would have been well supplied, if the 3000 l. *per Annum* had been paid for the Store of the Magazines.’

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‘ The Charge touching the Officers of the Ordinance being ended, Mr. Sergeant *Crew* opened that of the

C O U R T of W A R D S.

‘ That whereas, in *December*, 1618, Instructions for the Court of Wards were set out, (upon great Advise-
ment with the Lord Chancellor of *England*, the two Lord Chief Justices, and the Officers of that Court) the Lord Treasurer, by his Importunity and Power with the Officers, and by his Misinformation to the King, (waving a Reference to divers Lords of the Council) procured those Instructions to be altered, to the Prejudice of the King, and Oppression of the Subject.’

Sergeant Crew
opens the Charge
as to the Court
of Wards.

‘ For, by the former Instructions, *Anno* 1618, Petitions for Wardships were to be delivered to the Clerk of the Court, who was to enter them without Fee: But, by these Instructions, *Anno*, 1622, the Petitions are first to be delivered to the Master, to the end he may subscribe his Directions, and then the Master’s Secretary to make Entry thereof the same Day it is deliver’d, and return it to the Suitor, who is to present it to the Clerk, and the Clerk to enter it without Fee.’

‘ So the Clerk of the Court stands still restrained by these latter Instructions to take any Fees for entering of Petitions, but the Master’s Secretary is not

An. 22. James I. 1624. restrained; and, being unlimited, he hath taken great Fees for entering of these Petitions.'

'And whereas, by the former Instructions, *Ann* 1618, all Tenders and Continuances of Liveries were to be made unto the Surveyor of that Court: Now, by these latter Instructions, they are to be made to the Master first, and afterwards to the Surveyor; whereby the Fees for Continuance of Liveries are raised from 10s. the Term, to 20s. the Term.'

'And whereas, before, no Ward was esteem'd a conceal'd Ward, unless no Suit had been made within three Years after the Death of the Tenant: Now, by these latter Instructions, the Master hath Power, alone, to dispose of Wardships concealed but one Year; so that the Master may make any a concealed Ward, by concealing the Petition, and not entering it with the Clerk; the Petition being hereby appointed to be delivered to the Master first.'

'And that the Master of this Court of Wards, the Lord Treasurer, hath committed unto his Secretary a Stamp of his Name, and hath hereby put his own Power into the Hands of his Secretary: For his Secretary hath used his Stamp, in the Absence of the Master, for signing of Tenders and Continuances for Warrants to the Great Seal for Liveries; and Warrants to find Offices for Grants of Wardships, Leases, Indentures, and the like; and for expediting of judicial Acts in the Court: And that this Stamp may be a ready Way to make concealed Wardships, and may take away mean Processes due to the King for want of Livery; and may antedate Tenders, Continuances, and Petitions; by reason whereof the King may be prejudiced great Sums, by preferring one before another by Wardships.'

'This being said, the Clerk was directed to read the Proofs.'

'And

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' And for that it coming to the Charge, the Lord Keeper delivered to the House a Message from the King, viz.

' That the Alteration of such Instructions was debated before the Masters of Writs, and the Master and Officers of that Court, and that the Majesty understood that the Alteration was for the Honour and Benefit of the Kingdom, and intended that the Master should enter them as amply as the Law of Instructions of the Lord Viscount *Walsingham* should allow, and that the Master hath since the new Instructions to the Prejudice of the King or Subject, he believes that also; but allows his private Knowledge of the Alteration of the last Instructions.

' Therefore the Examinations were read to prove the Lord Treasurer's Importance and Difficulty to have those Instructions altered.

' Then these Examinations were read, &c.

The Answer of Sir BENJAMIN RUDYARD, Adv. Fiscal, Surveyor of the Exchequer, Sir WALTER PYE, Adv. Clericus, Attorney of the Court of Wards and Liveries, JOHN TOOK, Esq, Auditor General of the said Court, and of RICHARD CHAMBERLAIN, Gent. Clerk of the said Court, unto certain Questions demanded of them.

Who do all affirm, ' That, by the former Instructions, Anno 1618, the Petitions were delivered only to the Clerk, who was to enter them without Fee; but, by the latter Instructions, the Master's Secretary is to enter them before they come to the Clerk, and the said Secretary is not restrained from taking of Fees.

' To prove that the Secretary hath taken great Fees for Petitions were read

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An. 22. James I. *The Examination of WILLIAM WELD, taken the*
1624. *21st of April, 1624.*

‘ That, about *Christmas* was Twelvemonth, he
‘ delivered to Mr. *Herman*, Secretary to the Lord
‘ Treasurer, from the Lady *Edmunds*, three Frui
‘ Dishes of Silver, worth, as he believeth, between
‘ 40 s. and 3 l. a-piece, for the Furtherance of he
‘ Business and Petitions touching the Wardship o
‘ her Son.’

The Examination of ROBERT DEBDEN, taken th
same Day.

‘ That he delivered to Mr. *Herman* a Lett
‘ and 5 l. 10 s. in Gold, from Mr. *Brewster*, ar
‘ received from him a Schedule concerning a
‘ Wardship, to deliver to Mr. *Brewster*.’

The Examination of EDWARD BREWSTER, tak
the same Day, to the same Effect.

‘ And that it was for a Schedule of a Compo fi
‘ tion of the Wardship of Sir *Thomas Baker*; and
‘ that the said Composition was made, in *Trini* y
‘ Term was two Years, by the rest of the Coun il,
‘ in the Absence of the Lord Treasurer; and that,
‘ for a Month after, he solicited the Lord Tre a
‘ surer and Mr. *Herman* for a Dispatch there Of,
‘ but could not prevail; the Lord Treasurer t el
‘ ling him, That he liked not the Compositio n :
‘ Whereupon, after *Hillary-Term*, lest Proc ess
‘ should go forth, he wrote a Letter to Mr. *Her*
‘ man, promising to be thankful; and receiv ng
‘ Answer, that it was dispatched, he sent the said
‘ Money, and had the aforesaid Composition.’

The Examination of ELIZABETH BRADFORD,
taken the same Day.

‘ That she offered Mr. *Herman* 10 s. for her P
‘ tion to the Lord Treasurer, for the Wardship of her
‘ Daughter; but he refused, and told her his
‘ was

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‘ was 20 s. and would have no less: And there-
 ‘ upon she gave him 20 s. and he then told her,
 ‘ That he had had 5 l. for a less Matter, and was
 ‘ angry with her for standing with him.’

An. 22. James I.
1624.

*The Examination of CHRIST. VERNAM, taken
 the same Day.*

‘ That, about *Christmas* was Twelvemonth, he
 ‘ gave Mr. *Herman* 22 s. upon the Delivery of a
 ‘ Petition to the Lord Treasurer, for a Wardship;
 ‘ and, about *May* following, when a Day was as-
 ‘ signed to attend the Composition, he gave Mr.
 ‘ *Herman* 44 s. more.’

‘ And to prove that, by Colour of these latter
 Instructions, Fees for Continuances of Liveries are
 raised from 10 s. to 20 s. the Term, were read

The said ANSWER of the said Officers of the Court.

Who say, ‘ That they have heard that the Sub-
 ‘ ject paid to the Secretary (for the Master’s Use)
 ‘ half Fees for Tenders, and whole Fees for Con-
 ‘ tinuances. *And they, the said Surveyor, Attorney,
 ‘ and Auditor, do say,* That the Master did declare
 ‘ his Intention not to debar the Surveyor of his
 ‘ Fee for Continuances: *But said,* Because Conti-
 ‘ nuances were Matters of Grace and Favour from
 ‘ the King’s Majesty, that therefore, if the Subject
 ‘ would have them, they should pay for them.’

*The Examination of JEFFREY BRIGHT, taken the
 21st of April, 1624.*

Who saith, ‘ That, since the said last Instructions,
 ‘ the Fees of Continuances of Liveries have been
 ‘ raised from 40 s. *per Annum* to 4 l. 8 s. where-
 ‘ of 40 s. goes to the Lord Treasurer, and 4 s. to
 ‘ Mr. *Herman’s* Man.’

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An. 22. James I. *The Examination of THOMAS FABIAN, taken the same Day.*
1624.

Who saith, 'That, since the last Instructions, the Fees for Continuances of Liveries have been raised 11 s. every Term; which Fee the Lord Treasurer's Secretary receives; which is specially complained of by such as have Suits in Court.'

The Examination of NICHOLAS HERMAN, taken the 22d of April, 1624.

'That, since the last Instructions, the Lord Treasurer did take, upon every Continuance of Livery, 10 s. a Term, and no more.'

'And to prove that, by the latter Instructions, the Master hath Power to make most Wardships concealed, was read

'The Answer upon Oath of the said Officers of the Court of Wards.'

Touching the STAMP were read

The Examination of the said NICHOLAS HERMAN.

Who saith, 'That, by the Direction of the Lord Treasurer, there was a Stamp made, and, by his Lordship, delivered to the Examinant, with Power to sign therewith such ordinary Things touching the Business of the Court of Wards, as were to be signed by his Lordship. And saith, That he did move the Lord Treasurer to make the said Stamp; and the Reason was, for that the Suitors that followed these ordinary Business attended sometimes eight, nine, or ten Days Dispatch, which occasioned much Clamour, and some Jealousy that the said Examinant delayed them of Purpose; and therefore the said Examinant was desirous to give them better Dispatch. And saith, The Lord Treasurer did not distribute his Time, assigning any certain Days or Hours for the Dispatch of the Affairs of the Court of Wards, otherwise the said Stamp had not

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‘ not been made. *And saith*, He did use the said Stamp sometimes in his Lordship’s Absence, and sometimes in his Presence, when his Lordship was otherwise busied. *And saith*, That there was but one Stamp ; but he could sign several Ways, according as he set on the Stamp ; sometimes with the Name of *Middlesex* alone, and sometimes with the Addition of *Curia Wardorum*.’

An. 22. James I.
1624.

The aforesaid Examination of JEFFREY BRIGHT.

‘ That he hath seen Mr. *Herman* set the said Stamp to an Indenture for a Wardship of Body and Lands, and to many other Things.’

The said Examination of THOMAS FABIAN.

‘ That Mr. *Herman* hath set the said Stamp to sundry Writings in the Absence of the Lord Treasurer.’

And the said ANSWERS of the Officers of the Court of Wards.

‘ That Mr. *Herman* hath used the said Stamp for stamping of Tenders and Continuances, Warrants to the Great Seal, Grants of Wardships, Leases, Indentures of Liveries, &c.’

‘ And there were shewed forth, and read by the Clerk, divers Petitions of sundry Natures, stamp’d with the said Stamp.’

The Lord Treasurer answered unto this Charge, *That he is not to be blamed for putting his Office into such Plight as it was before an Encroachment.*

The Lord Treasurer’s Answer.

As touching his Secretary’s Fees, *As he is not restrained, so nothing is allowed ; and if he hath exacted any Thing, his Lordship will be the severest Censurer of him. He never heard of any till now. That the Secretary to former Masters received whatever any Man gave voluntarily, so it was lawful*

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An. 22 James I.
1624.

As touching the Fee for Continuances, *Why should he lose any Thing due for a Favour to the Subject? By this Means there be fewer Continuances; and so the King has his Money the sooner, and the Party is free for the Subjects Suit the sooner.*

As for concealed Wardships within a Year, *It is beneficial to the King; otherwise, within three Years, the Ward might die, and the King lose the Wardship. Neither hath the Master such Power, alone, therein by these new Instructions: He is only trusted with the Direction unto whom the concealed Wardship shall be granted; the Composition is left to the Council-Board: But it is not shewed that he ever made one concealed Wardship. They say this may be done, but do not shew what was done amiss. And his Lordship justified, That these new Instructions were more beneficial to the King and Subject than the former, and not prejudicial; for as touching the Petitions, if the Ward happen in a Vacation, the Petition must be delivered within a Month; if to the Clerk, perhaps he is out of Town: Now they are to be delivered to the Master first, and he may direct the finding of the Office in the Interim; but it is of no Force till the Petition be afterwards entered by the Clerk, and Composition is made by all the Officers.*

Indeed the Officers yielded, hardly, to the new Instructions; because they had, by the former, shared the Master's Power and Authority among themselves.

*His Lordship confessed, That he yielded to have Stamp made by the Precedent of the Lord Burleigh's Stamp; which, he said, he could not prove but by Hear-say: And Stamps are used in the S*** (f) Office and the Outlawries. And that it is no more prejudicial to commit a Stamp to his Secretary, than it hath been heretofore to leave the Seal with the Clerk. Neither is it shewn that this Stamp hath been to the Prejudice of any Man, the same Things that were stamped, being to pass other Officers either first or last.*

' The

(f) Deest in Orig.

‘ Then the Clerk, by the Lord Treasurer’s Direction, read An. 22. James I.
1624.

*The Examination of RICHARD CHAMBERLAIN
and HUGH AUDLEY.*

‘ That the same Things that were stamped have,
‘ or ought to pass other of the Officers Hands, ei-
‘ ther before or after they were stamped. That no
‘ Prejudice hath been, to their Knowledge, to any,
‘ either to the King or Subject, by reason of the
‘ said Stamp, unless the Subject hath received any
‘ Prejudice upon Petitions stamped for judicial Acts
‘ of the Court. That the Suitors have had speedy
‘ Dispatch by the Stamp.’

‘ This being read, Mr. Sergeant Crew made a
short Reply touching the double Fee for Continu-
ances.’

‘ That, in the Time of Lord Treasurer Bur- Sergeant Crew’s
Reply.
leigh, there was paid but 6 s. 8 d. for a Continu-
ance, either to the Master or Surveyor; which is
now paid to both, and 10 s. unto each.’

‘ Unto which the Lord Treasurer answered, in
effect, as before, and further said, *That he had much
more to say, but durst not adventure to say any more,
for that he was so far spent; and desired that he
might wait on their Lordships again, To-morrow
Morning, to satisfy them touching the two Bribes of
500 l. and the Business of Dallison.*

‘ Before the Lord Treasurer was withdrawn,
the Earl of *Carlisle* remembered their Lordships,
That the Lord Treasurer, the other Day, had
charged him with 3000 l. given him; whereas,
about twelve Months after the Lord Treasurer was
made Master of the Wards, his Lordship paid the
Earl of *Carlisle* 3000 l. in part of 20,000 l. given
him by the King. And whereas the Lord Treasur-
er spoke of the vast Expences of the Wardrobe in
former Times, the Earl of *Carlisle* said, That the
Expences grew so great by reason of the extraordi-
nary Charges then happening; as, by the Queer

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An. 22. James I. 1624. *Bohemia's Marriage*, which came to 60,000*l.* alone ;

for furnishing divers of the King's Houses ; for many rich Presents sent to foreign States ; for the King's Voyage to *Scotland* ; and the like.'

' And the Earl of *Denbigh*, now Master of the Wardrobe, shewed, That he cannot get any Allowance for the Extraordinaries of that Office from the Lord Treasurer.'

' Whereunto his Lordship answered, *That the King referred unto him the Earl of Denbigh's Demands of the Extraordinaries, wherein his Lordship was unwilling to meddle, for he could not conceive how they could amount to the Sum demanded. And as touching the Earl of Carlisle, If he had said that he had given him that 3000*l.* he d'd his Lordship wrong, for he had Warrant from his Majesty to pay it.*

' And then the Lord Treasurer desired he might be heard to clear some Words that might pass from him this Day, where it is reported that his Lordship should say, That he had unchristian Dealing : *He meant it not by their Lordships, whose Dealings he acknowledged to be to him both just and honourable ; but he meant it by the King's Counsel, who have dealt so unchristianly with him, as to make White Black, and Black White : And humbly desired, That this his Acknowledgement of the Justice of the House might be accepted of him, and to be understood only of the King's Counsel. And said further, That he had Precedents, that he ought not to answer in this Place, (at the Bar) and that he ought to have Counsel ; and prayed that the next might not suffer by his Example.*

' And again desired to appear To-morrow to make his further Answer.'

' The Lord Treasurer being withdrawn, the House agreed, That he should appear here again To-morrow at Nine of the Clock ; and Mr. *Maxwell*, the Gentleman Usher, warned him to appear accordingly.'

' The Lord Keeper cleared the Proceedings of the King's Council in their several Charges against the Lord Treasurer ; and the House gave them Thanks for their fair Carriage therein.'

May 12. The Lord Treasurer being at the Bar, and being admitted to speak in his own Defence, his Lordship first repeated the several Heads of the Matters wherewith he is charged, viz.

- ' 1. Touching the Wardrobe.'
- ' 2. Touching two Bribes received of the Farmers of the Customs.'
- ' 3. Compositions of the Out-Ports for Grocery.'
- ' 4. The Officers of the Ordnance. And,
- ' 5. The Court of Wards.'

The Lord Treasurer's general Defence against the whole Charge.

' As for the first, *That his Omission of an Account in the Wardrobe did neither add to nor diminish the Charge the King was at; and that, altho' his Lordship omitted to serve some of the Lord Chamberlain's Warrants, amounting to a Matter of 700 l. yet he had laid out, in the Extraordinaries of that Office, (which he was not bound to do) about 6000 l. and that the good Service which he had done his Majesty in that Office is well known.*

' Touching the two Bribes, term'd *disguised Corruptions*, *Howsoever the Farmers of the Customs presented the same, he could not know their Thoughts but by their Words and Deeds. And his Lordship protested, That he received the same no otherwise than for his Interest in four 32 Parts of the Great Farm of the said Customs.*

' As touching the Lease for Sugars, *He will say no more than formerly he had spoken. Nor,*

' For the Compositions for Grocery, *save only, That his Lordship had sent Barret's Son unto Mr. Sergeant Crew, to satisfy him that Barret had formerly collected the said Compositions, by virtue of the Warrant of former Treasurers.*

' As touching the Office of the Ordnance, *His Lordship would speak no more touching the Provision for Arms and Gun-Powder, than he had done. But,*

' As touching Dallison's Business, his Lordship said, *It began originally before he was Treasurer; he therein settled the King's Debt unto the Officers, and hath parted with that Estate, which he had from them in Dallison's Lands, within a Month after he was Treasurer; yet, if the second Bargain made with these*

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An. 22. James I. *these Officers prove not as beneficial to them as the*
1624. *first should have been, they have his Word to make it*
as good; which he would perform. And his Lord-
ship further profered, That any one should have Dal-
lison's Lands again at a far less Sum than they cost
him.

‘ Then he desired their Lordships to take into Consideration *His Disability to answer, and the Ability of those that did oppose him; and, if he had been as well able to speak for himself, as they that spoke against him, he doubted not but that he should have given their Lordships very good Satisfaction.*

‘ His Lordship spake much in excuse for those Matters complained of against him as Lord Treasurer, saying, *That the King's Necessity and Want of Money was the Cause of much thereof.*

‘ He acknowledged, *That the King had been a good and bountiful Master unto him; and avowed, That he had been a good and faithful Servant unto his Majesty; not for Impositions, for (those two only excepted, which are presented by the Commons) he ever stood against them, deeming them a Partition-Wall between the King and the Subject.*

That his Service has been in Reformatations, viz. Of the Household; of the Navy; of the Wardrobe; and of the Kingdom of Ireland; which are Things of that Nature that they beget Enemies: And if, in doing Service to his Majesty, he hath procured to himself many Enemies, their Lordships will not impute that to him for a Fault.

‘ His Lordship also affirmed, *That he had done his Majesty good Service in the Palatinate, by advancing the Exchange of the King's Money thither, wherein he saved the King 60,000 l. And affirmed, That he had advanced the Profits of the Crown at least 80,000 l. tho' not by Impositions; these he medled not with, the other two excepted, and they were agreed unto by the Council-Board. The Ships indeed were in the River, but the Vintners were sent for, and made to pay what was imposed on the Merchants.*

That he offered to pay the Arrear due for Ireland, a third Part from the one Deputy, and the one Half from

from the other ; wherewith he acquainted his Majesty, An. 22. James I. and turn'd it all to his Majesty's Profit. 1624.

That he hath been a Judge these eight Years, and no Complaint brought against him for Corruption or Bribery ; which he hoped would weigh much with their Lordships.

‘ And as for the Offence taken Yesterday against him, touching the King’s Counsel, (whom he ever lov’d well) *He knew them to be of that loving Nature, that he doubted not but that they would impute it to his Rashness, and forgive him.*

‘ Then he craved Pardon of their Lordships, if he had omitted any Thing, or spoken ought that might discontent them ; and so, with humble Thanks for their Favour to him, he concluded his Speech.’

‘ The Lord Treasurer having ended his Speech, he was answered by the Lord Keeper, That the Council-Table disavowed the Imposition on Wines to begin from them : It came from his Lordship, as belonging to his Place of Lord Treasurer ; the Matter was his alone ; the Manner also was contradicted by the rest of the Council, for that the Merchant Ships were then in the River ; only they gave way to it, upon his Lordship’s undertaking that the Merchants would yield thereunto, and that they should be no way prejudiced thereby.’

‘ Whereunto the Lord Treasurer replied, *That this was no Part of his Charge.*

‘ The Lord Treasurer being withdrawn, and the House adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer which concerned the Wardrobe.’

The Lords take into Consideration the several Articles of the Charge, and the Lord Treasurer’s Answers.

‘ And the Lords having duly considered of the Crimes objected against the Lord Treasurer, for not entering into a Book of Accounts the Warrants and Emptions, as he ought to have done, whereby the Settlement and antient Institution of that Office is altogether broken ; and for not serving the Warrants directed unto him for the King’s own¹ tho’ he was often urged thereunto ; nor p

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An. 22. James I.
1624.

vers of the Creditors for such Stuff as they served in, altho' he received 20,000 l. *per Annum*, by way of Imprest, for the ordinary Charge only of that Office; which a far less Sum would have fully defrayed: And for that he had not perform'd that good Service, which he pretended unto his Majesty; but, under Pretence thereof, had procured to himself great and large Gifts from his Majesty, and Pardon of divers great Sums of Money.'

' And the King's Counsel having satisfied their Lordships, That the said Pardon to the Lord Treasurer did not pardon his Lordship's not accounting; the House was resumed, and the Question put, Whether the Lord Treasurer, for his Carriage in the Office of the Wardrobe, be censurable, or No? And it was agreed, *Nemine dissentiente*, To be censured.'

' *Post Meridiem*, Mr. Attorney read that Part of the Charge against the Lord Treasurer which concerned his taking of 500 l. of the Farmers of Wines and Currants for a Bribe, and 500 l. of the Farmers of the Great Customs, for a Bribe; and for exacting 100 l. of the said Farmers of Wines and Currants.'

' And their Lordships took into their Consideration the Lord Treasurer's Answer unto the said two Bribes, *viz. That he accepted of 1000 l. paid him, at one entire Payment, by the Farmers of the Great Customs, upon a Bargain of his four 32 Parts of the Great Farm.* And it appeared plainly unto them, by the Examination of divers Witnesses, as well of those taken *ex Parte Domini Regis*, as of those taken *ex Parte Domini Thesaurarii*, That 500 l. of the said Sum was given to the Farmers of the Wines and Currants, called the Petty Customs, to procure his Lordship's Warrant for Defalcation of 1000 l. *per Annum* of their Rents, for nine Years and a Half, in recompence of their Loss, according to his Lordship's farther Agreement with them on the King's Behalf, upon his Majesty's Reference unto his Lordship: And that the other 500 l. was given, by the Farmers of the Great Customs,

Customs, to procure his Lordship's Warrant unto the King's Remembrancer, to take Security for Payment of the Rent to his Majesty of the four Patentees of that Farm, in lieu of five Partners who had relinquished their Parts therein: And that his Lordship had not reserved to himself any Parts of the said Great Farm, as his Lordship pretends: And if he had, it had been a great Deceit unto his Majesty, for the Lord Treasurer of England to contract with others for his Majesty's Customs, and secretly to reserve Parts therein unto his own Benefit: And when, as his Lordship affirms, that he received the 100 l. of the Farmers of the Wines and Currants, for a New-Year's Gift, it appeared also by the Examinations, That the said Farmers did present his Lordship with a Tun of Wine for his New-Year's Gift, and his Lordship exacted the 100 l. of them afterwards; which divers of their Lordships conceive to be Extortion.'

An. 22. James I.
1624.

' All which being fully discussed, the House was resumed, and the Question was put, Whether, upon this whole Charge, the Lord Treasurer be censurable, or No? And agreed generally, To be censured.'

' The House being again adjourned *ad Libitum*, Mr. Attorney General read that Part of the Charge against the Lord Treasurer, which concerned his Lordship's procuring of *George Herriot* to surrender his Lease of the Farm of Sugars, which he held at the Rent of 10,000 Marks *per Annum* to the King, and for procuring a new Lease thereof immediately to two of his Lordship's Servants, to his own Use, at 2000 l. *per Annum*; and for denying the Merchants, upon their Exportation of Sugars, the Imposts paid therefore upon the Importation, as his Lordship ought to have done by the Directions of his Majesty's Letters Patent of the 5th of December, Anno 8. Jacobi.

' Upon reading whereof the Lord Keeper signified to their Lordships, That he had received a Message from the King touching this Charge, *viz.*

' That his Majesty did freely give unto the Treasurer 4000 l. *per Annum*, out of the f

An. 22. James I. of Sugars, the same to begin presently after the
1624. Date thereof.

‘ Their Lordships taking into Consideration, that this was the King’s free Gift, they did not think it fit to censure the Lord Treasurer for the same; altho’ his Lordship had unduly informed his Majesty of good Services done in the Office of the Wardrobe, which his Lordship perform’d not, for which this Lease of Sugars was given him. Neither did his Lordship inform his Majesty, (for ought appears) that a Debt of 7000 l. was installed upon that Lease; the which his Lordship transferred to the Farm of Tobacco.’

‘ And as touching the Denial of the Impost upon the Merchants, upon the Exportation of Sugars, for that his Lordship affirms, That the Under-Farmers of the said Sugars from him are liable to the Re-payment of the said Imposts, if any be due, their Lordships did not think it fit to censure the Lord Treasurer for the same.’

‘ And the House being resumed, the Question was put, Whether the Lord Treasurer shall be freed from any Censure in this particular Charge, or No? And generally agreed, To be freed.’

‘ The House was again adjourn’d *ad Libitum*.

‘ And Mr. Attorney General read that Part of the Charge against the Lord Treasurer, which concerns the Composition for Grocery Wares in the City of *Bristol*, which City had refused to yield unto any Composition for the same; and yet the Lord Treasurer had given Warrant to levy the same against their Wills, and to stay the entering of their Goods untill the same was paid accordingly.

‘ But for that it appeared, that the Lord Treasurer *Dorset*’s Letter, dated 1610, for levying the same Composition, agreeth with the Letter written by this Lord Treasurer; and for that divers of *Bristol* had paid the like Composition; and for that it did not appear that the Lord Treasurer did thereby seek any Benefit to himself, the Lords did not think him fit to be censured for the same.’

‘ Where-

‘ Wherefore the House being resumed, it was put to the Question, Whether the Lord Treasurer shall be free of Censure in this Charge of Grocery, or No? And agreed, To be freed. An. 22. James I.
1624.

‘ The House being again adjourned *ad Libitum*, Mr. Attorney General read another Part of the Lord Treasurer’s Charge, *viz.*

‘ That his Lordship, for this two Years and a Half, since he was Lord Treasurer, hath not observed the two Proportions or Establishments of the Ordinary, and Supply of the Office of the Ordnance; neither that which was settled for the Supply thereof by Privy Seal, *Anno sexto Jacobi*, for the Ordinary of that Office, nor that, *in Anno 1620*, set down by his Lordship, and the other Commissioners of the Navy for the present Supply thereof; whereby the Stores are, in effect, wholly unfurnished: And that his Lordship, since he was Lord Treasurer, neglected and kept not the Contract, made by himself and other Commissioners with Mr. *Evelyn*, for Gun-Powder, to the Hazard of the Kingdoms and Prejudice of the King; and that he made unlawful Bargains for the Lands of Sir *Roger Dallison*, contracting to procure Payment of old Arrears of Debt, which he performed when he became Treasurer, and to procure the Making of Baronets, and a Suit to the King for compounding with his Majesty’s Copyholders of *Wakefield*, which he valued at two thousand Pounds; and for using indirect Means and the Power and Countenance of his Place, to wrest Sir *Richard Smith* and Sir *John Davis* out of a Lease, which Sir *Roger Dallison* had passed unto them.’

‘ And their Lordships having fully discussed the great Neglect of the Lord Treasurer to issue the King’s Money for the furnishing of the King’s Stores of Munitions, with Armour and Powder; and that yet he paid the Arrear of Debts to that Office for his own particular Profit upon a Contract with the said Officers: And having considered his Lordship’s great Misdemeanors in the Bargains for the said Lands of Sir *Roger Dallison* extended

AN. 22. James I. tended for that Debt; and his Lordship's propounding, for Part of Payment thereof, the Making of Baronets and a Suit for the compounding with his Majesty's Copyholders of *Wakefield* :'

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' And his Lordship's Answer, *That he preferred this Suit unto the King, in pity of Sir Thomas Mounson's Estate, a Man heretofore of good Account in his Country, and now decayed; which their Lordships thought most fordid, for a Lord Treasurer to make Use of to his own Benefit :*'

' And it appearing unto their Lordships, That the said Lord Treasurer had set on foot an old Outlawry, upon a Debt long Time since paid by the said Sir *Roger Dallison*; and that his Lordship, upon Pretence of a Debt to the King where there was none, procured a Revocation of Letters of Administration granted of Sir *Roger Dallison's* Goods; and had written his Letter to the Judges of the Common Pleas for the countenancing of this indirect Course, to wrest the said Lease from the said Sir *Richard Smith* and Sir *John Davy*, formerly granted unto them by the said Sir *Roger Dallison*: All this being fully debated, the House was resumed, and it was put to the Question, Whether the Lord Treasurer be worthy of Censure in regard of this whole Charge, both for the three Bargains, and for not supplying the Office of the Ordnance? And generally agreed, To be censured.'

' The House was again adjourn'd *ad Libitum*.'

' And Mr. Attorney read the rest of the Charge against the Lord Treasurer, *viz.* That the Lord Treasurer, being Master of the Wards, did, *Anno Domini* 1622, cause the Instructions, set forth by his Majesty, in *Anno* 1618, for the well-ordering of the Court of Wards, to be altered, against the Will of the Officers, by the Misinformation of his Majesty; whereby he hath taken the Petitions from the Clerk of that Court, and appropriated them unto himself and his Secretary: And that his Lordship having to himself concealed Wardships, he may easily make Wardships concealed by the Course
of

of the said new Instructions: And that his Lordship hath doubled the Fees for Continuances of Liveries, and made a Stamp and deliver'd the same to his Secretary, who hath stamped therewith in the Absence of the Master, Tenders, Continuances, Warrants to the Great Seal, Grants of Wardships and Leases, Indentures of Liveries, &c.

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1624.

' And their Lordships considering, that it was not proved by the Examination of Witnesses, that the Secretary was appointed to take any Fees for the said Petitions, either for himself or for the Lord Treasurer; nor that the Lord Treasurer had made any Benefit to himself for concealed Wards by virtue of the said new Instructions: Therefore their Lordships thought his Lordship not censurable for those two Points of his Charge. But as touching the doubling of Fees of Continuances of Liveries, they thought his Lordship worthy to be censured both in respect of the Grievance of the Subject, and of his Lordship's Answer unto the same, viz. *It is the King's Grace to the People, let them pay for it.*'

' And for that he deliver'd a Stamp unto his Secretary, whereby he committed the great Trust, reposed in him by his Majesty, unto his Servant, not deigning to sign the Petitions, Liveries, and Warrants, to the Great Seal, with his own Hand, their Lordships thought him worthy to be highly censured for the same.'

' And thereupon the House being resumed, the Question was put, Whether the Lord Treasurer deserves a Censure upon the whole Charge or no? And agreed, *nemine dissentiente*, To be censured for the same.'

May 13. After reading a private Bill or two, the Lords ordered the Gentleman Usher and the Sergeant at Arms, attending on that House, to summon the Earl of *Middlesex*, Lord Treasurer of *England*, to appear presently before their Lordships.

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1624.

The Warrant was signed by the Lord Keeper, and delivered to the Gentleman Usher.

The House being adjourned *ad Libitum*, the Clerk read the Heads of the six Charges against the Lord Treasurer, and the six several Votes of the House which were Yesterday past upon the same.

And their Lordships having duly considered upon the Proofs of Bribery, Extortions, Oppressions, Wrongs and Deceits, objected against the Lord Treasurer, found the same to be most apparently proved.

And, as to the Allegations of the Lord Treasurer of his good and profitable Services to the King; in the Reformation of the King's Household, of the Navy, of the Wardrobe, and the Kingdom of *Ireland*, their Lordships entring into Debate thereof, it was made manifest to them, by many Particulars then declared, That, as touching the Reformation of the King's Household, Wardrobe, *Ireland*, He, the Lord Treasurer, had deserved very ill of his Majesty; and, as touching the Navy, though his Lordship was but a Commissioner with others, who were more skilfull, and did more Good than he, yet, he assumed to himself the whole Glory thereof; and his Manner was so to do, in all other Business wherein his Lordship and others were joined.

The Lords also considered of the Lord Treasurer's Allegation of his advancing the Exchange of the King's Money, sent to the *Palatinate*, for Payment of the King's Forces there; and it appeared unto them plainly, That his Services therein deserved no such Respect, as his Lordship assumed unto himself; the Soldiers of *Frankendale* being yet unpaid.

Then the House being resumed, the first Question was put,

I. Whether the Lord Treasurer, in regard of these Misdemeanors proved against him, shall lose all his Offices which he holds in the Kingdom, or No?

It was unanimously agreed, That he should lose them all. An. 22. James I.
1624.

The second Question,

II. Whether the Lord Treasurer shall for ever, hereafter, be incapable of any Office, Place or Employment, in the State or Common-Wealth, or No?

Agreed, That he should be incapable of them all.

The third Question,

III. Whether he shall be imprisoned in the Tower of London, during his Majesty's Pleasure, or No?

Agreed, For Imprisonment.

The fourth Question,

IV. Whether the Lord Treasurer for these Offences shall pay a Fine to the King, or No?

Agreed to a Fine.

But then the House was adjourned *ad Libitum*, That the Lords might more freely discuss what Fine to impose on the Lord Treasurer. And, being resumed,

The fifth Question was put by the Lord Keeper,

V. Whether a Fine of 50,000 l. be sufficient to be imposed on the Lord Treasurer, or No?

Agreed to this Article.

The sixth Question,

VI. Whether he shall, hereafter, sit in Parliament, or No?

Agreed, That he shall never sit again in Parliament.

The seventh Question,

VII. Whether the Lord Treasurer shall come within the Verge of the Court, or No?

These Questions being all put and agreed to, the whole Censure against him was drawn up in Form, read by the Lord Keeper, and passed by a general Vote of the whole House.

Then a Message was sent to the Commons, by Mr Sergeant *Crew* and Mr Attorney General, That the Lords were now ready to give Judgment against the Lord Treasurer, if they, with their Speaker, will come and demand the same.

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Answer. That they will attend, presently, as the Manner is.

Accordingly, the Lords being all in their Robes, to the Number of sixty-two, *viz.* the Prince of *Wales*, the Lord Keeper, the Archbishop of *Canterbury*, twelve other Bishops, with forty-seven Earls, Viscounts, and Barons, the Lord Treasurer was brought to the Bar, by the Gentleman Usher and the Sergeant at Arms; when his Lordship making a low Reverence, kneeled, untill the Lord Keeper willed him to stand up. The Commons came in with their Speaker, and the Sergeant attending him let down his Mace, when the Speaker address'd himself to the Lords as follows:

'The Knights, Citizens, and Burgesies in this Parliament assembled, have, heretofore, transmitted unto your Lordships several Offences against the Right Honourable *Lionel*, Earl of *Middlesex*, Lord High Treasurer of *England*, for Bribery, Extortions, Oppressions, and other grievous Misdemeanors committed by his Lordship; and now the Commons, by me their Speaker, demand Judgment against him for the same.'

The Lord Keeper answered, This High Court of Parliament doth adjudge,

The Sentence
against him.

That Lionel Earl of Middlesex, now Lord Treasurer of England, shall lose all his Offices which he holds in this Kingdom; and shall, hereafter, be made incapable of any Office, Place, or Employment in the State and Common-Wealth.

That he shall be imprisoned in the Tower of London during the King's Pleasure.

That he shall pay unto our Sovereign Lord the King a Fine of 50,000 l.

That he shall never sit in Parliament any more.

And that he shall never come within the Verge of the Court.

We have met with a Story, quoted in an Author of very good Credit (*f*), That the Lord *Bacon*,

(*f*) *Pety's Miscellanea Parliamentaria*, in the Preface.

ter he was sentenced in Parliament, meeting with An. 22. James I. 1614. Sir *Lionel Cranfield*, whom King *James* had then newly made Lord Treasurer; Lord *Bacon*, having first congratulated his Advancement to so eminent a Place of Honour and Trust, told him, between Jest and Earnest, That he would recommend to his Lordship, and, in him, to all other great Officers of the Crown, one considerable Rule to be carefully observed; which was to

Remember a Parliament will come.

We do not believe his Lordship had the Spirit of Divination in him, tho' the Event shewed somewhat like it, and verified the familiar Saying of the Lord *Coke*;

That no Subject, tho' never so potent and subtle, ever confronted or justled with the Law of England, but the same Law, in the End, infallibly broke his Neck.

One Instance of the Truth of this Maxim is just related, for thus fell *Lionel Cranfield*, Earl of *Middlesex*; who, from a low Beginning, was, for his eminent Qualities in mercantile Affairs, raised to that Title, and to one of the highest Posts in the Kingdom. He was the Son of *Thomas Cranfield*, Esq; but was no more than a *London Merchant* himself; and, being bred up in the Custom-House, was looked upon as a fit Instrument to detect the Frauds in those Officers. The King, in his last Speech to the Lords, hath given an Account how he was introduced to Court, and by what Steps he rose to the Height he so suddenly fell from; and, by what his Majesty hints, in that Speech, there might be much Malice and Envy in his Prosecution.

Some Account of the Rise and Fall of the Lord Treasurer Middlesex.

Mr. *Rapin* charges the Prince of *Wales* and Duke of *Buckingham* with a Conspiracy to ruin the Treasurer, for refusing them, at Times, the exorbitant Sums they demanded when in *Spain*: That they made Use of their Credit with the Parliament for that Purpose, and caused him to be accused, by their Creatures, of Mismanagement in the Discharge of his Office (g).

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This

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This Hint our Author has strongly improved from *Wilson* and Lord *Clarendon*: The former says, 'The Duke of *Buckingham*, remembering how the Lord Treasurer repined at the Monies spent in *Spain*, and his Comportment to him since his Return, resolved to bring him down from that Height he had plac'd him in.' And the latter, 'That the King was against the Prosecution of the Treasurer, by an Impeachment; because he foresaw, that those Kinds of Parliamentary Proceedings would shake the Royal Authority, in the Choice of his own Ministers, when they should find that their Security did not depend, solely, upon his own Protection; which Breach, adds the Noble Historian, upon his kingly Power, was so much without a Precedent, that, except one unhappy one, made three Years before, to gratify likewise a private Displeasure, [Lord *Bacon* he means] the like had not been practised in very many Years. The King told the Duke, 'That he was a Fool, and was making a Rod for his own Breech;' and the Prince, 'That he would live to have his Bellyfull of Parliamentary Impeachments(b):' Both which will be found prophetically true in the Sequel. — But, in this Case, after all, the Guilt or Innocence of the Accused, must be left to the Reader's Judgment, by the Circumstances of the Trial: However, it seems very plain that the Duke of *Buckingham*, who, as the King takes Notice, first introduced him to the Court, did, at least, desert him upon his Trial; otherwise there is no Room to suppose that the Prosecution would have been carried on so vigorously, or the Sentence have been so unanimous and so severe against him.

Whether the King remitted the Fine, or any Part of it, is uncertain; but his Lordship lived many Years after this Disgrace, and died in a good old Age, in the Year 1645, leaving two Sons, who both succeeded him in his Title of Earl of *Middlesex*; but

(b) Lord *Clarendon*'s History of the Rebellion, Vol. I. Fol. Ed. 1792. P. 20.

was extinct in the latter. — This short Digression An. 22. James I.
1624. is thought proper, in order to give some further Account of a Man, heretofore scarce known in History (i).

May 14. A Committee of Lords was appointed by the House to attend the King, and to acquaint him with the Judgment awarded by the Lords against the Earl of *Middlesex*, late Lord Treasurer of *England*, and to desire his Majesty to take away the Staff and the Seal of the Court of Wards from him.

Ordered also, That the King's Counsel do draw up a Bill, and present the same to the House, to make the Lands of the Earl of *Middlesex* liable unto his Debts; unto his Fine to the King; unto Accounts to the King hereafter; and to Restitution to such whom he had wronged, as shall be allowed by the House. — This Bill afterwards passed into a Law; but not with that Unanimity, in the Lower House, as in the Trial before the Lords; for, upon the third reading thereof in the Commons, it was carried by a Majority of but thirty-six Voices (k).

The same Day the Bishop of *Norwich* besought the Lords to remember the Message from the Commons, on the 8th Instant, for a Conference touching some Accusation against his Lordship, which their Lordships then deferred, by reason of the Thinness of the House; and desired them to appoint

The Commons
Complaint a-
gainst the Bishop
of Norwich.

(i) *Dugdale* says he was buried in *St. Michael's Chapel, Westminster Abbey*, and has given us the Epitaph on his Monument. By one Expression in it, the Family seem to be desirous to wipe off the Odium of his Trial and Sentence: The Words are these, after enumerating his various Preferments and Titles;

— *Hinc gliscente Invidia urgentur adversæ
Rerum Procellæ, dum animosæ movet lucentes;
(Quæ Innocentiæ Conscientiæ) forte jactatus
Tantum, non Naufragiis enatauit, sedata
Hieme figit Anchoram in Re lauta,
Sereno Senectutis Otio respiravit, expiravit.*

Dugdale's Baronage, Vol. II. P. 445.

(k) On the Question of passing the Bill, Sir *Francis Farr* Sir *Francis Seymour*, were Tellers for the No, 89; Sir *Barrington* and Sir *Robert Harley*, for the Yea, 125.

Printed Journals, Vol. I. P.

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An. 22. James I. point a Time for the same, with what Expedition
1624. they conveniently may; whereupon a Committee
was then named for that Purpose.

May 15. The Archbishop of *Canterbury* reported to the House, 'That he, and the other Lords appointed, had waited on his Majesty, to acquaint him with the Judgment against the Earl of *Middlesex*, and humbly desired him to send to the said Earl for the Staff, &c. and that his Majesty answered, That he would do so.'

Report of a Conference there-
upon; May 19. A Report was made, by the Archbishop of *Canterbury*, of a Conference with the Commons, touching a Complaint against the Bishop of *Norwich*, to this Effect:

'That the Commons had received a Complaint exhibited against the said Lord Bishop, by the Citizens of *Norwich*: And, to shew that it was ordinary for the Commons to complain against the Governors of the Church, divers Records of Parliament were cited; *Annis* 18. *Ed.* III. 35. *Ed.* III. 50. *Ed.* III. 17. *Rich.* II. and the 11. *Hen.* IV. which were cited to satisfy tacit Objections for their meddling with a Cause of this Nature.'

Articles of the
Charge against
him.

'That the Charge against the said Bishop consisted of six Parts.'

I. 'That he inhibited or disheartened Preachers on the *Sabbath* Day in the Forenoon.'

II. 'That Images were set up in the Churches, and one of the *Holy Ghost* fluttering over the Font; that a Marble Tomb was pulled down, and Images set up in its Room, and the Bishop blessed them that did it.'

III. 'That he punished those who prayed not towards the East.'

IV. 'That he punished a Minister for catechizing his Family, and singing of Psalms.'

V. 'That he used Extortion many Ways.'

VI. 'That he did not enter Institutions, to the Prejudice of Patrons.'

'To the first Article it was said, That there were thirty-four Churches in *Norwich*; in those Parishes

Parishes 30 or 40,000 People: That the Lord Bishop sent for the Preachers, by the Apparitors, and told them, There was no Need of Preaching on *Sunday* in the Forenoon, except in the Cathedral Church; altho' two or three thousand could only hear there; many dwelling three Quarters of a Mile off, and many were old, and not able, for their Age, to come so far.

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' That the Inhibition was when the King had commanded more Preaching, that his Lordship connived at Recusants, all which was the disheartening of the good Professors. It may be he allowed of Catechizing; *ergo*, no Preaching necessary: But he commanded to ask bare Questions, and nothing else; *ergo*, no Instructions.'

' That this is done against the Canons of the Church, and that there is no Obedience without Knowledge. The outward Man is not conformed, unless the inward Man be reformed; and cited the Canon, *Quicumque contristaverit Doctorem Veritatis peccat in Christum*; with the Canon, 1. *Jacobi*, Cap. 45. for commanding Preaching.'

' For the *second*, touching the setting up of Images.

' It was said to be against Acts of Parliament, against the Canons of the Convocation, the Book allowed in the Time of *Hen. VIII.* 28. *Hen. VIII.* Cap. 30. against Images, Pilgrimages, &c. against the 3. *Ed. VI.* and the Homilies approv'd, *Anno. 1. Eliz.* forbidding Images in Churches.'

' The *third*, for Prayer to the East.'

' Which *Gratian* affirms came by Tradition, *Pars 1. Decr. 11.* And that it is superstitious, *Linwood* in the *Glosses*, *Lib. 2. Tit. de Feris*, *Non refert si versus Orientem*, &c. That the Bishop excommunicated many, and enjoined Penance unto divers, for praying to the East; and some did their Penance with a withy Rod in their Hand; the Proof thereof is under the Bishop's Hand.'

' The *fourth*.'

' One *Peck*, a Minister, catechized his Family, and sung Psalms, his Neighbours coming in. of a *Sunday* after Evening Prayers. The Bishop enjoined

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1624.

joined them to do Penance, for this their resorting to catechize and sing Psalms, and to say, *I confess my Errors*, &c. which Acknowledgement is under the Bishop's Hand. They who refused, were excommunicated, and paid 7 l. Charges. And it was particularly observed by the Comitions, that this Peck was a conformable Preacher.

‘*Fifthly*, Touching Extortion.’

‘It was shewn; That, in the Table of Fees, there is set down, for Institution 24 s. 8 d. whereof to the Bishop 10 s. That this Lord Bishop is Register also, and now himself, taketh; for Institution, 3 l. 5 s. and, for united Churches, double; and that, *communibus Annis*, there are an hundred Institutions.’

‘For Admission into sacred Orders, nothing should be taken; if any, it is *Simony*: Yet this Bishop taketh now 29 or 30 s. the Bishop and Register being all one. To serve Cure, 5 s. is due; he takes 6 s. 8 d. To teach School, 3 s. 4 d. is due; he takes 6 s. 8 d. and, if of Ability, 10 s. For every Consignation of a Decree 4 d. which comes to 3 l. *per Annum*, for which there should be nothing paid; no Consignation being in the Table, but set down in Archbishop *Whitgift*'s Time, in another Hand.’

‘*Sixthly*, Touching the entering of Institutions.’

‘That the Institutions to Benefices are not registered; which overthrows the Patronages, if it be return'd *Scrutatis Archivis non inventur*, when the Right comes in question; yet the Fees are greater than before.’

The Comitions concluded with these two Remembrances.

‘The *first*, That they received this Complaint before *Easter* last; yet they proceeded not in the Examination thereof till they received a Certificate from the Mayor of *Norwich*.’

‘The *second*, That none shall be punished for complaining in Parliament.’

This Report being ended, the Bishop of *Norwich* stood up in his Place, and answered the same to this Effect;

First,

‘ *First*, His Lordship confessed the Charges in An. 22. James I. 1624.
 The said Complaint to be so great and grievous, that,
 Were he guilty thereof, he would desire, himself, to
 Be punished: But, whether he be guilty, or not,
 He will leave to their Lordships exact and severe The Bishop of
 Norwich’s De-
 fence.
 Examination; wherein he desired them not to
 spare him, and he would ever acknowledge and
 commend their Justice and Honour.’

‘ His Lordship protested he was no way guilty
 of the first Part of this Accusation; if he were,
 then he was unworthy to bear the Name of a
 Clergyman. He shewed the Unworthiness of such
 as should dishearten Preachers from preaching the
 Word of God. His Lordship shewed also, desiring
 first that he might not be taxed with Ostentation,
 his own Practice in preaching, whilst he was Vicar
 and Parson: That he preached every *Sabbath* in
 the Morning, and catechized in the Afternoon;
 and that he continued the like Preaching whilst he
 was Bishop of *Chichester*: That in *Norwich* he never
 miss’d the public Place, and ever preached there a-
 gainst Popery; tho’ he had been an unprofitable,
 yet he had not been an idle Servant; which was
 now his only Comfort.’

‘ As touching Preaching and Non-residence, he
 had been reckoned more than half a Puritan: He
 told them of his Manner of living, and his leaving
 the Archbishop of *Canterbury*’s Service that he might
 go to his Cure. He wondered why he should be
 thought a *Papist*; he thought it might be owing to
 his Disputations, and his Sermons at *Paul’s Cross*,
 on Predestination negative, unadvisedly preached by
 him; for which he was checked by Archbishop
Whitgift, and commanded to preach no more of it;
 and he never did, tho’ Dr. *Abbot*, late Bishop of
Sarum, hath since declared in Print that which he
 then preached to be no *Popery*.’

‘ That *Popery* is a Fire that will never be quiet,
 he hath preached a thousand Sermons; and nothing
 of *Popery* can be imputed to him out of any of
 them. That there were divers Obstacles to keep
 him from *Popery*.

I. ‘ The

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1. 'The Usurpations of the *Pope of Rome*. His Lordship affirm'd, That no Power on Earth can touch a Prince; and therefore he abhorred the Usurpation of the *Pope* over Princes.'

2. 'Their Religion is dyed in Blood.'

3. 'The practic Course of their Religion is all by juggling and feign'd Miracles; of which his Lordship had writ a Book against them, which was never as yet answered. That he never spake with Priest or Jesuit, nor never invited a known Recusant to his Table; for they never say *Amen* to our Prayers.'

4. 'That their Equivocations are the last; worse than which nothing can be; his Lordship held it much better to take on with the Devil than with such. Then he profess'd himself to be a true Member of this Church, and acknowledged the Church of *England* to come nearest to the primitive. That we fetch not our Reformation from *Wickliff*, *Huss*, and *Luther* of latter Times, but from the first four hundred Years next after Christ.'

I. 'As touching the first Part of the Accusation.'

'His Lordship confessed, That six or seven of the abler Sort of Ministers in *Norwich* used to expound, in their own Churches, before the Sermon began in the Cathedral Church; and many resorted from other Places to these Expositions, (for all the Churches have not Preachers) and in the Afternoon to their Sermons. The Preachers themselves found Fault with this, being willing 'to be rid of the Pains, for they were to preach in the Afternoon and on the Week-Days, and shewed him many Disorders therein, which they pretended; as the cutting off Part of the Prayers, or their beginning so early, that many could not come to the common Prayers, and the like; and they besought his Lordship to remedy it, because they, being stipendary Men, were loth to do it, for fear, belike, to lose their Stipends; whereupon he sent for them by an Officer, and willed them to omit these Expositions in the Forenoon; and yet he had since taken Order for the erecting of three Sermons in the most remote Parts of the City from the

Cathedral Church ; and he also had erected many Lectures in several Places of the Country.' An. 22. James I.
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II. ' As touching the Images in a Church.'

' What was done was done without his Knowledge ; it was meant by St. *Peter's* Church : That his Lordship never saw that Church till one Evening as he came by ; and being informed of much Cost done upon it, he went in, and kneeled down to his Prayers, as his Use was. When he rose up, and perceived that they had bestowed very great Cost, and not seeing or knowing of any Image at all set up there, he said, *God's Blessing on their Hearts that had bestowed such Cost on God's House.*'

III. ' As touching Prayers to the *East* :

' He never enjoined it, nor heard of it till now.'

IV. ' For the fourth Part of his Complaint :

' He perceived that he had been sifted thro' the whole Course of his Life ; that this *Peck* was sent to him by the Justices of the Peace, for keeping an Assembly late at Night at his House ; his Catechizing being but a Colour to draw them thither. That this *Peck* had infected the Parish with strange Opinions ; as not to kneel when they came to Church ; that the Name of *Jesus* is no more than a common Name, and that it is Superstition to bow down at it. His Lordship affirmed that this *Peck* had formerly been convicted of Nonconformity, *Annis 1615 et 1617* ; also, for Simony and Conventicles in his Neighbour's House, as appears by an Act in the Register.'

' That *Anno 1622*, he was taken in his House with twenty-two of his Neighbours, at a Conventicle ; that he was then bound over by a Justice and brought to his Lordship, and his Sentence against him was, only, that he should confess his Fault.'

' The others, mentioned in this Part of the Charge, were punished for their Opinions also ; making no Difference between an Alehouse and the Church, till the Preacher was in the Pulpit, he must confess his Fault, That it

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nance which he enjoined, he caused them to confess their Errors, omitting their Resort to Conventicles, which he did at their own earnest Suit.'

V. 'His Lordship absolutely denied that he imposed any Fees, and affirmed that he had not any of those Fees which were complained of; only, the Fees for Institution, which he took as his Predecessors did. If therein he had committed any Error, *Erravimus cum Patribus*; and denied that he had ever seen that Table of Fees which is spoke of by the Commons.'

VI. 'His Lordship affirmed, That he had registered all the Institutions.'

When the Bishop had ended his Defence, his Royal Highness the Prince stood up and told him, 'That he had not answered concerning the Paraphrase of the *Catechism* which he had taken away.' To which the Bishop replied, 'That the Preachers used to chuse a Text from the *Creed*, &c. and to ask the Child some one Question, and then to dilate very long upon it, but never descended to the Capacity of the Child. That he did not forbid the Explanation, but ordered that it should be done catechetically.'

We may suppose that the Lords were very willing to be rid of this Affair, for an Order is entered, immediately after the Bishop's Answer, 'That, in respect of the Shortness of Time and the Multiplicity of Business, now depending to be determined, the Complaint of the Commons, against the Lord Bishop of *Norwich*, shall be referred to the High Commission Court, to be examined by them; and they to make Report thereof to the House, and then the House will judge of it.'

The same Day the Bishop of *Norwich* exhibited a Complaint to the House against one *Thomas Stokes*, Clerk.

His Complaint to
the Lords against
one Thomas
Stokes,

'That whereas the said *Thomas Stokes* had presented a Petition to the House of Commons against his Lordship, for excessive Fees, pretended to be taken by his Lordship, and for other Grievances therein

therein mentioned. He acknowledged the Proceedings of the said *Stokes* to be legal, and humbly submitted himself to an Examination and strict Trial. However, he complained that the said *Stokes* had sent his Lordship this Message: That if he would suffer a Judgment in the Court of Common Pleas for him, the said *Stokes*, to be Archdeacon of *Norfolk*, that then *Stokes* would prosecute no further against his Lordship; otherwise, he would smoke him with more Complaints. Moreover, that the said *Stokes* reported that his Lordship did drink a Health to *Spinola*, and refused to pledge a Health to the Prince of *Orange*, for that the said Prince was a General unto Traitors. Lastly, That *Stokes* affirmed his Lordship did take thirty Pounds of every one of the Archdeacons when he came first to his See. All which his Lordship affirmed to be false.

This Complaint, with the Witnesses the Bishop produced to prove it, was referred to the Examination of the Archbishop of *Canterbury*, who was to make Report thereof to the House for their Judgment of the Matter.

Which is referred to the Archbishop of *Canterbury*.

But we hear no more of this Affair, or the former, in the *Journals*, or elsewhere; for neither *Wilson* nor *Rushworth* mention one Word of it. This Bishop of *Norwich* was *Samuel Harfnet*, who *Le Neve* tells us had been guilty of several scandalous Practices, whilst he was Master of *Pembroke Hall* in *Cambridge* (1). By his Answer, he seems to clear himself from the Commons Complaint against him; which, by the bye, is somewhat extraordinary, and would not have been suffered in the last Reign. He came into higher Favour, at Court, in the next; for in the Year 1628, he was made Archbishop of *York*. But to return to our Proceedings.

The same Day, still, a Message was brought from the Commons to the Lords, by Sir *Edwin Sandys* and others, to this Effect:

‘ That the Knights, Citizens, and Burgesses, in the House of Commons assembled, understanding that

(1) *Le Neve's Lives of the Protestant Bishops.*

An. 22. James I. 1624. that his Majesty's Pleasure is to put an End to this Session on *Saturday* next, the 22d *Instant*, within

The Commons
desire a longer
Continuance of
the Session.

which short Time, neither that House nor theirs can perfect those *Businesses* which are begun; they do humbly desire their Lordships to join with them in Petition to his Majesty for a longer Time.'

First, 'For that the King permitting them to name their own *Treasurers*, for the *Subsidy* this Parliament, much longer Time hath been spent in that Bill than usual, because they had no Precedent for the same; whereby many good Bills were delayed.'

Secondly, 'For that the *Business* of free Trade, which had been long disordered, had brought many general Complaints unto them; not only by the Merchants, but by the Clothiers and those of the meaner Sort. Which, if they have longer Time, they hope so to accommodate, that it shall be advantageous, to the King's Profit, and give Content both to the Poor and to the Rich.'

Thirdly, 'The Bill for the *Subsidy* of the Clergy was but newly come into their House, and their own Bill of *Subsidy* is yet to have another Reading.'

Lastly, 'For that they understand that their Lordships have so many Bills, and other Matters of Weight, as yet depending, that they doubt whether they can perform them in so short a Time. Wherefore, and to hold that fair Correspondence, which hath hitherto continued between both Houses, they make this earnest Request; not intending to entertain any new Matters, but those, only, which are begun and ready to be finished.'

The Messengers being withdrawn, his Highness the Prince signified unto the House, 'That at his coming from the King, his Majesty told him that he was determined to end this Session on *Saturday* next; and commanded his Highness so to answer them who should move to have that Time prolonged. But what his Majesty would do therein, when he shall hear these Reasons, his Highness said he knew not.' Whereupon, the House humbly besought

he fought the Prince to move his Majesty to give a longer Day. An. 22. James I.
1624.

The Messengers were then called in and answered, 'That the Lords do take in good Parts their Willingness to hold good Correspondency with them, and have weighed the general and particular Reasons expressed, for a longer Day of Continuance of this Session: But they have received such absolute Directions from his Majesty for the End of this Session, at a Day now so near at Hand, that they cannot give the Commons any Hope of obtaining a longer.'

'Yet, considering that his Majesty knew not of these Reasons, their Lordships have entreated the Prince to move him for a longer Day. What this will produce they know not; wherefore their Lordships will hasten the Dispatch of their own Business, against the Day which his Majesty hath limited, as much as they can, and they doubted not but the Commons would do the like.'

May 20. The Lords now seemed to be in Hast to expedite the Bills in their House, and the Commons sent up five Bills from theirs, along with this Message: 'That they desire a Conference with their Lordships, touching a Petition to the King for removing all justly suspected *Recusants* from their Offices of Trust.'

Answer was returned, 'That they would meet them presently; but, before the Lords went to this Conference, the Prince acquainted the House, That his Majesty was content to prolong this Session unto *Saturday, May 29*, so that his Highness would engage himself that neither of the two Houses would entertain any new Matter in the mean Time; and that he should know, first, the Minds of the Commons therein.' It was agreed, That this should be intimated to them at the Meeting.

The same Day a Report was made by the Archbishop of *Canterbury* of what passed at this Conference; he told the House, That the Commons

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n. 25. James I. produced an humble Petition to the King, desiring the Lords to join with them in it, as heretofore. Which Petition was read in these Words:

The Commons
Petition against
Recusants, to
which they de-
fire the Concur-
rence of the
Lords.

WE your Majesty's loyal and faithful Subjects, the Commons, (by your Royal Authority and Commandment called to and assembled in this present Parliament, out of all the Parts of your Kingdom of England and Dominion of Wales) do, in all Humility, give your Majesty most humble Thanks, that you have so religiously and openly published, that your Laws and Acts of State against Popish Recusants should be put in due Execution. And now we hold it our bounden Duty (amongst other the important Affairs of your Realm) to inform your Majesty of the Growth of this dangerous Sort of People within this your Kingdom, and of their Insolency and Boldness in all the Parts thereof, insomuch as many of them (unknown to your Majesty) have crept into Offices, and Places of Government and Authority under you, to the disheartning of your good Subjects, and contrary to your Majesty's Laws and Acts of State; whose Names (in Discharge of our Allegiance and Duty, without Respect of Persons) we, in all Humbleness, present to your Majesty.

The NAMES of all such PERSONS as are certified to have PLACES of CHARGE or TRUST, in their several COUNTIES, and are themselves POPISH RECUSANTS or NON-COMMUNICANTS, that have given overt Suspicion of their Ill-Affection in RELIGION, or that are reported or suspected so to be.

The Rt. Hon. Francis Earl of Rutland is certified to be Lord Lieutenant in the County of Lincoln, and a Commissioner of the Peace and Customs Rotulorum in the County of Northampton, and Commissioner of the Peace, and Oyer and Terminer in Yorkshire, and in other Counties, and that and his Wife are suspected to be Popish Recusants.

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The Rt. Hon. the Earl of Castlehaven is certified to be a Commissioner of the Peace, and of Oyer and Terminer in Wiltshire, and suspected to be ill-affected in Religion, and that some of his Family either are, or lately were Recusants. An. 22. James I.
1624.

Sir Thomas Compton, Kt. is certified to be a Commissioner of the Peace, and of Oyer and Terminer in Warwickshire, and he and the Countess his Wife are certified, by Fame, to be suspected to be Popish Recusants.

The Rt. Hon. Henry Lord Herbert is certified to be a Commissioner of the Peace in Monmouthshire, and to favour the Popish Religion, and to forbear the Church.

The Rt. Hon. the Lord Petre is certified to be a Commissioner of the Peace in Essex, and, by Report, that he cometh not to the Church nor receiveth the Communion; and that his Wife and Family are generally suspected to be Popish Recusants.

The Rt. Hon. Henry Lord Morley is certified to be a Commissioner of the Peace in Lancashire, and to be suspected to be a Popish Recusant.

The Rt. Hon. the Lord Viscount Colchester is certified to be a Commissioner of the Peace in Essex, and, by Report, that he cometh not to the Church, nor receiveth the Communion.

The Rt. Hon. the Lord Windsor is certified to be a Commissioner of the Peace in Buckinghamshire, and, by common Fame, to be a Popish Recusant.

The Rt. Hon. William Lord Eure is certified to be a Justice of the Peace in the County of Durham, and to be a Popish Recusant convicted.

The Rt. Hon. the Lord Wootton is certified to be in Place of Authority in Kent, and that he and his Wife do forbear the Church, and are justly suspected to affect the Roman Religion.

The Rt. Hon. the Lord Teynham is certified to be a Commissioner of the Peace in Kent, and, by common Report, to be a Popish Recusant.

The Rt. Hon. the Lord Scroope is certified to be a Lord Lieutenant of the County of York, of the City of York, and of Kingston upon Hull, and to be

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1624.

a Commissioner of the Peace, and of Oyer and Terminer in the said Counties, and in sundry other Counties; and that his Lordship hath not received the Communion once every Year in the last three or four Years; and that his Lordship hath given overt Suspicion of his Ill-Affection in Religion, by his Departure from the Communion on sundry Days when his Majesty's Council there resident, and others of the Congregation, stayed behind to receive the same, sometimes on Easter-Day, and sometimes on the 5th Day of November; and it is testified by Witnesses, that the Lord Archbishop's Grace of York, and others of his Majesty's Council there resident were present, and did receive the Communion once when his Lordship went away; and that his Lordship doth rarely repair to the Church on Sundays and Holidays in the Forenoon, and not above twice to the Afternoon Sermons, whereunto former Lord Presidents, with his Majesty's Council there residing, have frequently repaired, and whereunto the Council now there resident do ordinarily repair since he was made Lord President; whereof Notice is taken by all his Majesty's Subjects in those Parts, to the great Grief of such as are truly affected in Religion.

Sir William Courtney, Kt. is certified to be a Commissioner of the Peace and a Deputy Lieutenant in Devonshire, and is a Colonel of a 1000 train'd Soldiers of that County, and is Vice-Warden of the Stanneries, and that he is suspected to be a Popish Recusant, and that he hath not received the Communion in many Years last past.

Sir Thomas Brudenell, Kt. is certified to be a Commissioner of the Peace, and Deputy Lieutenant in Northamptonshire, and that he is a suspected Recusant.

Sir Thomas Somerset is certified to be a Commissioner of Oyer and Terminer in Gloucestershire, and that he is reported to be a Popish Recusant.

Sir Gilbert Ireland, Kt. and Richard Sherborn, and John Fleming, Esq; are certified to be Commissioners of the Peace in Lancashire, and that they are suspected to be Popish Recusants.

Sir

Of ENGLAND. 325

Sir Francis Stoner, Kt. is certified to be a Justice of the Peace, or a Deputy Lieutenant, or both, in Oxfordshire, and to be a Popish Recusant. An. 22. James I. 1624.

Sir Anthony Browne, Kt. is certified to be a Commissioner of the Peace in the County of Norfolk, and that he is reported to be a Popish Recusant.

Sir Francis Howard, Kt. is certified to be a Justice of the Peace and Custos Rotulorum in Surrey, and is suspected to be ill-affected in Religion.

Sir William Powell, Kt. is certified to be a Justice of the Peace in Staffordshire, and to be a Non-Communicant, and that his Wife cometh not to Church.

Sir Francis Lacon, Kt. is certified to be a Justice of the Peace in Shropshire, and that he is suspected to be a Popish Recusant.

Sir Lewis Lewkner, Kt. is certified to be a Commissioner of the Peace in Middlesex, and that he and his Wife are suspected to be Popish Recusants.

Sir William Aubrey, Kt. is certified to be a Commissioner of the Peace in Brecknockshire, and that he is reported to be a Popish Recusant.

William Jennison, Esq; is reported to be a Commissioner of the Peace in Newcastle upon Tyne, and that he is suspected to be Popish and backward in Religion.

Sir John Gage and Sir John Shelley, Barts. and John Thetcher, Esq; are certified to be Commissioners of the Sewers in the County of Suffex, and to be known Papists.

Sir Henry Caryll is certified to be a Captain of a Foot-Band in the County of Norfolk, and a Commissioner of Sewers, and that he is reported to be a Popish Recusant.

Sir Thomas Wiseman, Kt. Son of Sir Thomas Wiseman, Kt. that is a Justice of Peace, is certified to be a Captain of a Foot-Band in Essex, and to be a profess'd Papist.

Sir Thomas Gerard, Kt. is certified to be a Captain of a Company of the Freehold-Band in Lancashire, and that he is suspected to be a Popish Recusant.

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Sir John Philpot, Kt. is certified to be a Captain of a Foot-Company in Hampshire, and that he and his Wife and Children are Papists.

Sir Thomas Russel, Kt. is one of the Deputy Lieutenants, and a Justice of the Peace in the County of Worcester, and is justly suspected to be a Papist.

The NAMES of all such PERSONS who are certified to be in PLACES of CHARGE or TRUST, in their several COUNTIES, and that have Wives, Children, and Servants, that are POPISH RECUSANTS or NON-COMMUNICANTS, or that are suspected or reported so to be.

Sir Henry Beddingfield is certified to be a Commissioner of the Peace, and a Deputy Lieutenant in Norfolk, and Captain of the Lances there, and that his Wife and Children are reported to be Popish Recusants.

Sir William Wray, Kt. is certified to be a Deputy Lieutenant in Cornwall, and that his Wife is a Recusant.

Sir John Conway, Kt. is certified to be a Commissioner of the Peace, and one of the Deputy Lieutenants in Flintshire, and that his Wife is held to be a Popish Recusant.

Sir Charles Jones, Kt. and William Jones, Esq; are certified to be Commissioners of the Peace and two Deputy Lieutenants in Monmouthshire, and that their Wives are Recusants.

Sir Ralph Conyers, Kt. is certified to be a Commissioner of the Peace and Deputy Lieutenant in the Bishoprick of Durham, and that his Wife is generally reported to be a Popish Recusant.

Sir Thomas Lamplugh, Kt. is certified to be a Commissioner of the Peace in Cumberland, and that his Wife is a Recusant.

Sir Thomas Savage, Kt. and Bart. is certified to be a Commissioner of the Peace in Cheshire, and that his Wife is suspected to be a Recusant: and, by common Fame, it is reported, that the said Sir Thomas

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mas Savage is a Deputy Lieutenant there, and that An. 22. James I. 1624. he is suspected to be a Non-Communicant, and his Children are suspected to be Recusants.

Sir William Masley, Kt. is certified to be a Commissioner of the Peace in Cheshire, and that his Wife is a Recusant.

Sir Hugh Beston, Kt. is certified to be a Commissioner of the Peace, and that his Daughter and Heir apparent is a Recusant.

Sir Thomas Liddel, Kt. is certified to be a Commissioner of the Peace for the Bishoprick of Durham, and that his Wife is a Popish Recusant.

Thomas Petre, Esq; Brother of the Lord Petre, is certified to be a Commissioner of the Peace in Essex, and that his Wife and Family are suspected to be Recusants.

Sir Marmaduke Wyvill, Kt. and Bart. is certified to be a Commissioner of Oyer and Terminer, and lately made one of his Majesty's Council in the North, and that his Wife is a Popish Recusant convicted.

Sir John Townshend, Kt. is certified to be a Commissioner of the Peace in the County of Hereford, and that his Wife is reported to be a Papist.

Sir William Norris, Kt. is certified to be a Justice of the Peace in Lancashire, and that he hath a Daughter that is a Recusant; and that he hath two Sons that do serve under the Archduchess.

James Anderson, Esq; is certified to be a Justice of the Peace in Lancashire, and that his Wife and his eldest Son are apparent Recusants.

Edward Morgan and George Milbourn, Esqrs. are certified Commissioners of the Peace in Monmouthshire, and that their Wives are Recusants.

Sir Philip Knevitt, Bart. is certified to be a Justice of the Peace in Norfolk, and that his Wife is a Recusant.

Sir John Tasborough, Kt. and Anthony Hobart, Esq; are certified to be Commissioners of the Peace in Norfolk, and that their Wives are reported to be Recusants, and Mr. Hobart's Children are popishly educated.

Sir

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Sir William Selby, Kt. and Cuthbert Heron, Esq; are certified to be Commissioners of the Peace in Northumberland, and that their Wives are Recusants.

Sir Richard Tichbourne, Kt. is certified to be a Commissioner of the Peace in Hampshire, and that his Wife is of the Popish Religion.

Sir John Hall, Kt. is certified to be a Commissioner of the Peace in Hampshire, and that his Wife and her Daughter are Papists.

Sir George Perkins, Kt. Robert Peirpoint and Fulke Cartwright, Esqrs. are certified to be Commissioners of the Peace in the County of Nottingham, and that their Wives are thought to be Recusants.

Thomas Oatley, Esq; is certified to be a Commissioner of the Peace in Shropshire; and Richard Gibbons, Gent. to be a Coroner there, and their Wives be Recusants.

Rice Williams, Esq; is certified to be a Commissioner of the Peace in Caermarthenshire, and that his Wife is a Popish Recusant convicted.

Sir Thomas Penruddock, Kt. is certified to be a Commissioner of the Peace in Middlesex, and that his eldest Son is a Recusant.

Valentine Saunders, Esq; is certified to be a Commissioner of the Peace in Middlesex, and that his eldest Son is a Recusant.

Thomas Rochell, Esq; is certified to be a Commissioner of the Peace in St. Edmundsbury, Suffolk, and that his eldest Son is reported to be a Popish Recusant.

Anthony Thorold, Esq; is certified to be a Commissioner of the Peace in Lincolnshire, and that he hath a Son that is suspected to be a Popish Recusant.

Sir Nicholas Saunders Kt. is certified to be a Commissioner of the Peace in Surrey, and his Wife is suspected to be a Popish Recusant.

Now, in consideration of the great Countenance hereby given to Popery, the great Grief and Offence to al your best affected, true, and loving Subjects, the apparent Danger of the whole Kingdom,
by

by putting the Power of Arms into such Hands as, by former Acts of your Majesty's Council, are adjudged Persons justly to be suspected, and themselves fit to be disarmed. Your said loyal and faithful Subjects do most humbly beseech your Majesty, graciously to vouchsafe that the said Lords and Gentlemen above named, for these important Reasons, and for the greater Safety of your Majesty, and of your Realm and Dominion, may be removed from all your Majesty's Commissions of great Charge and Trust, Commissions of Lieutenancy, Oyer and Terminer, and of the Peace, and from all Offices and other Places of Trust.

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1624.

This Petition being read, the Lords deferred the Debate thereon, for that Time, because the Day was far spent; but gave an Answer to the Messengers who attended for the same, That they would consider of the Petition, and would send them an Answer when they were resolved of it. The Commons returned the Lords Thanks, and said, their House had made an Order to receive no more Bills, or entertain any more new Business this Session. The same Order was made by the Lords.

May 21. This Day the Petition of the Commons, for displacing *Papish* Recufants, was read a second Time; and, after some Debate, an Answer was resolved on to be given to the Commons about it. Accordingly a Message was sent by the Lords to desire another Conference; and, in the mean Time, the Answer was put into Writing, and read to the House *in hæc Verba*:

‘ That we take great Contentment in the Con-
‘ currence which has been between the two Houses,
‘ from the Beginning of this Session, and which
‘ we doubt not but shall continue to the End.

The Answer of
the Lords con-
cerning the said
Petition.

‘ That what hath been desired in your Petition,
‘ concerning *Papish* Recufants, is wholly allowed
‘ and approved of; our Hearts do go along with
‘ what is propounded by the Commons.

‘ But

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‘ But that our Way in Judicature, as they know, is, to proceed upon Oath, and to hear the Party’s Defence, which the Shortness of Time in this Case, can by no Means permit. That if we should publickly go in a Committee of both Houses to the King, we should strike deep into the Reputation of the Parties concern’d, and give his Majesty, and the whole World, Occasion to think, That we did both judge and condemn before we had heard.

‘ Notwithstanding, we do incline, if they like of it, to move his Highness the Prince, privily to acquaint his Majesty with this as with a Matter of State; not doubting but that his Majesty will take it into his grave and prudent Consideration; so that such Effect, as we trust, is like to follow, as will give us all good Contentment.’

This Answer was approved of by the other House, at the Conference; who rendered their most humble Thanks to the Prince, ‘ That he was pleased, as of himself, to intimate their Requests unto his Majesty; and that they hoped it would receive a gracious Answer.’

The Subsidy Bill
passed by the
Commons.

Nothing was now done in either House for several Days, but expediting the Bills they had before them. On the 24th of *May*, the Bill for granting an Aid to his Majesty of three entire *Subsidies*, and three *Fifteenths* and *Tenths*, was sent up by the Commons; and, the next Day, on the second Reading of this Bill, before it was committed, the Judges were appointed by the House to consider of some Points of Judicature in the said Bill, and to deliver their Resolutions about it.

May 26. The Lord President of the Council reported to the House, That the Judges had given in their Resolutions, concerning some Questions arising on the Bill of *Subsidies*; which was read in the House as follow§;

‘ Re-

‘ Resolved, by general Consent, That, upon the Perusal of several Parts of the Act of *Subsidy*, they do not conceive that there is any Thing therein, which may impeach or blemish the Privilege or Power of the Higher House, or add to the Privileges of the Lower, in any Thing; save, in the particular Case in question, and in no other Case, of the like or other Nature; and that for these Reasons:

An. 22. James I.
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The Judges Opinions on some Clauses thereof, in point of Privilege.

‘ *First*, Because the Judicature, in this particular Case, is not assumed, by the way of Privilege, to beget a Precedent, but, by way of an Act; which taketh Effect, not only by themselves, but by the Lords, and by the Royal Assent of the King.’

‘ *Secondly*, Because the Ground of this Act proceeded, originally, from the gracious Proposition of his Majesty himself (e), and that Proposal is mentioned in the Act itself; so that there is nothing to be drawn from this Act to ground the like on hereafter, unless it be upon the same Proposition from the King, with the Consent of the Lords, who must fully assent unto it.’

‘ *Thirdly*, The Words, *That the Lords shall have Power by virtue of this Act*, are not privative to any former Power of the Lords, and are convenient in this particular Case, where the Offence is new; for, before this Act, there was neither Punishment for this Offence, nor the Offence to be punished.’

‘ *Fourthly*, The reserving the Punishment of those, who, at this Time, are Assistants to the Higher House, is no Derogation to that House; for they have no inherent Right of being Assistants, as the Lords have of being Members of the House; and this is done by Bill wherein the Lords join.’

‘ *Fifthly*, For that the Lords are join’d with the Commons in the Commission, the Account is to be joint; and therefore it is not possible to sever them from the Commons because the Account would be lame and imperfect.’

‘ All which the Judges humbly submit to their Lordships Judgment.’

These

(e) See before, P. 95.

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These Resolutions were approved of by the House; but the Lords thought fit to enter a Protestation in their *Journal Book*, before the *Subsidy Bill* was read a third Time; which was to this Purpose:

The Protestation
of the Lords in
consequence
thereof.

Forasmuch as this present Act of Subsidy from the Temporality, is, in many Things, different from the antient usual Form of a Subsidy Bill; and because something contained in the said Act, may, in Time to come, be construed either to lessen the Jurisdiction of the one House, or add to the Jurisdiction of the other, more than hath been used, or heretofore admitted: Therefore the Lords, Spiritual and Temporal, in the Higher House of Parliament now assembled, do hereby declare and pronounce, and cause this Protestation to be entered on Record in the Rolls of this Parliament.

That no Words, Matter, or Thing, in this Act contained, shall hereafter be taken or construed to give or take any Jurisdiction, Power, Privilege, or Authority, to or from either of the said Houses of Parliament; but that either of them shall, severally and dividedly, hold, use, and enjoy such and the same Liberties, Privileges, Powers, and Jurisdictions as, heretofore, they, or either of them, respectively had; any Thing in this Act to the contrary notwithstanding.

It may not be amiss, in this Place, to look back into the *Journals* of the Commons, this Session, for the first Motions of a Supply in that House. We are told that the King's Demands to support the State, in case of a War with Spain, &c. on the Breach of the Treaties, was a Supply of six *Subsidies* and twelve *Fifteenths*. A mighty Sum to be raised all at once on the Subject.

Account of the
Debate on the
Subsidy Bill in
the Commons.

March 19. The Commons went upon this Demand, and a very long Debate is entered in the subsequent *Journal* of this Session, altogether too tedious for this Design. In one Speech of Sir *Edward Coke's*, is a Calculation what the whole Sum of such a Grant would amount to. He estimated that one *Subsidy* from the Laity would come to 70,000 l. and a *Fifteenth* to 30,000 l. a *Subsidy* from

from the Clergy to 20,000 l. the Total of which, multiplied by the Number of them demanded, would amount to 900,000 l. almost a Million, which was more, he said, than all *England* could raise, with any Convenience.

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After almost two Days Debate on this Matter, the House came to the following Resolution upon the Question, without one negative Voice, ' That after his Majesty shall have been pleased to declare himself for the utter Dissolution of the two Treaties, for the Marriage and the *Palatinate* ; the House, in Pursuit of their Advice given to his Majesty, and towards the Support of the War which is likely to ensue ; and, more particularly, for these four Points proposed by his Majesty, namely, the Defence of this Realm ; the securing of *Ireland* ; the Assistance of our Neighbours, the States of the United Provinces, and other his Majesty's Allies ; with the fitting out of his Majesty's Royal Navy, will grant, for the present, *three Subsidies*, with *three Fifteenths* and *Tenths*, to be levied in such Time and Manner as they shall be pleased afterwards to appoint ; and to be paid into the Hands, and expended by the Direction of such Commissioners, as shall hereafter be agreed on in this present Session of Parliament.' And, by a subsequent Resolution, *Nem. Con.* the same Day, it was agreed, ' That these *three Subsidies*, *Fifteenths* and *Tenths*, shall be paid within the Space of one Year after the King hath declared himself (f).'

Remarkable
Clause, whereby
the Treasurers
were to be nomi-
nated by Par-
liament.

Upon the Delivery of this Proposition to the King, it was agreed to by him ; afterwards the Treaties were broke, as hath been mentioned, and the Commons went upon framing a Bill to raise the Supply and name Commissioners to be the Managers of it : Which being a Thing hitherto unprecedented, and what no crown'd Head ever granted before, occasioned the Dispute in the Upper House before related.—But to go on with the Lords *Journals*.

(f) Four entire *Subsidies* were also granted by the Spirit
Statutes at Large, Cap.

An. 22. James I.
1624.

Resolutions of
the Lords as to
Matters of Pri-
vilege.

May 26. The House continued to proceed with the National Business, and to answer private Petitions and Appeals till the Day before this Session was to end; when, after remitting some Fines, imposed by the House on Offenders, and lessening others, the *Earl Marshal*, from the Committee for searching Precedents to sustain the Privileges, &c. of the House, made the following Report;

‘How far the Privileges of the Nobility do clearly extend, concerning the Freedom of their Servants and Followers from Arrests.’

‘To all their menial Servants and those of their Family, and also those employed, necessarily and properly, about their Estates as well as their Persons.’

‘This Freedom to continue twenty Days, before and after every Session; in which Time the Lords may conveniently go home to their Houses in the most remote Parts of the Kingdom.’

‘That all the Lords, after the End of this Session, be very careful in this Point, and remember the Ground of this Privilege; which was, *only*, in regard they should not be distracted, by the Trouble of their Servants, from attending the serious Affairs of the Kingdom; that therefore they will not pervert that Privilege to the public Injustice of the Kingdom, which was given them, chiefly, that the whole Realm might, in this High Court, draw the clear Light of Justice from them. In which Case, every one ought rather to keep far within, than any way exceed their due Limits.’

‘That hereafter, before any Person be sent for in this kind, the Lord whom he serves shall, either by himself or by his Letter, or by some Message, certify the House upon his Honour, that the Person arrested is within the Limits of the Privilege before expressed.’

‘And, for the Particulars, they must be left to the Judgment of the House, as the Case shall come in question; wherein the House wants no Means, as well by Oath as without, to find out the true Nature of the Servant’s Quality in his Lord’s Service. Thereupon, if it be adjudged by the House contra-

ry to the true Intent, any Member whatsoever must not think it strange, if, in such a Case, both himself suffer Reproof, as the House shall think fit, and his Servant receive no Benefit by the Privilege, but pay the Fees; because the Justice of the Kingdom must be preferred before any personal Respect, and none to be spared that shall offend after so fair a Warning.

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‘ Ordered to be observed accordingly, with this Alteration, *viz.* This Freedom to begin with the Date of the Writ of Summons, and to continue twenty Days after every Session of Parliament.’

The Earl *Marshal* also reported, That the Lords of the Committee had thought this Order proper concerning Judicature, *viz.*

‘ The Lords of the High Court of Parliament do hold it fit to consider of some Orders for the Trials of such Persons, as shall hereafter be brought before them, and come to Judicature: But the Session being soon to end, at this Time, their Lordships think it fit to declare now in general, That as this Court is the highest from whence others ought to draw their Light, so they do intend the Proceedings thereof shall be most clear and equal; as well on the one Side, in finding out Offences where there is just Ground, as, on the other Side, in affording all just Means of Defence to such as shall be questioned. For the Particulars, they do at this Time order, That in all Cases of Moment the Defendants shall have Copies of all Depositions, both *pro & contra*, after the Publication, a convenient Time before Hearing, to prepare themselves: And also that, if the Defendants shall demand it of the House in due Time, they shall have learned Counsel to assist them in their Defence, whether they be able, by reason of Health, to answer in Person or not, so as they chuse Counsel void of just Exception; and, if such Counsel shall refuse them, they are to be assigned as the Court shall think fit. This their Lordships do, because in all Cases, as well civil, criminal and capital, they hold that all lawful Helps cannot, before just Judges, make one that is guilty avoid Justice; and, on the other Side, according

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to his Majesty's most gracious Speech, *God defend that an innocent Man should be condemned.*

' Likewise for calling a Member of this House to the Bar, their Lordships held it fit to be very well weighed, at what Time and for what Causes it shall be; and therefore, the Time being now short, Precedents are to be looked out, and this to be considered of at the next Meeting.'

May 29. His Majesty being placed on the Throne and the Lords in their Robes, the Commons, with their Speaker, Sir *Thomas Crew*, were admitted into the Royal Presence. The Speaker came up with great Reverence and low Obeisance to the King, and, being at the Bar, declared,

The Speaker's
Speech to the
King at the Close
of the Session.

' **T**HAT God, to his own great Glory, had brought this Session of the Parliament, so happily begun, to so happy an End, that both Houses, and every particular Member thereof, hath given their willing Assent, even with one Voice, unto the Advice which his Majesty was pleased so low to descend as to demand of them. As there was not a Hammer heard in the building of the House of God, so, in this great Business, there was not a negative Voice, nor any Jarring amongst them; but their Time was wholly spent in the Business of Parliament, in which they had prepared many Bills profitable for the Common-Wealth, and shewed the several Natures of those Bills; some for the Service of God, and Restraint of Recusants; some to redress the Enormities of the Common-Wealth; others of his Majesty's Grace and Bounty to his People; and some concerning the Prince's Highness touching his own Lands; and others to settle Strife in particular Estates: All which do wait for and humbly desire his Majesty's Royal Assent.

' He shewed also what great Joy they all received for the Dissolution of the two Treaties with *Spain*; and that Commissioners are required to see the Edicts performed against Recusants and
' Jesuits,

‘ Jesuits, the Locusts of *Rome*, wherein will consist An. 22. James I. 1624.
 ‘ his Majesty’s chiefest Safety. And they do ren-
 ‘ der him humble Thanks for their antient Privi-
 ‘ leges, which they fully enjoyed this Parliament,
 ‘ [and, in particular, for their Freedom from Ar-
 ‘ rests] (g) and their so often Access unto his Ma-
 ‘ jesty’s Presence; and more especially for his Ma-
 ‘ jesty’s general, large, liberal, and free Pardon,
 ‘ shewing the Benefit thereof, and reciting the Par-
 ‘ ticulars. He also presented the Bill of three en-
 ‘ tire *Subsidies*, and three *Fifteenths* and *Tenths*
 ‘ granted this Session; and declared the Chearful-
 ‘ ness of the Grant thereof. And, making his
 ‘ earnest Prayers unto Almighty God, to direct his
 ‘ Majesty’s Heart to make his own Sword his Sher-
 ‘ riff to put his Son-in-Law in possession of the
 ‘ *Palatinate*, the antient Inheritance of his Royal
 ‘ Grand-Children, he ended; humbly craving Par-
 ‘ don for himself and his own Errors committed
 ‘ this Session.

To which the King gave the following Answer(h).

Mr. Speaker, and you the Gentlemen of the
 Lower House,

I Will begin with the End of Mr. Speaker’s Speech, His Majesty’s Answer.
 which was a Presentation of the Subsidies, and
 the Thanks he gave me for allowing you your Privi-
 leges and Liberties, together with the free Pardon of
 his own Weakness.

The Subsidies are granted to my Grand-Children,
 whose Case, I must confess, is somewhat desperate: I
 pray God I may see that good End thereof that I wish,
 for I know not how it may please God to dispose of these
 Things, whether peaceably, or by Force, it may please
 VOL. VI. Y him

(g) This is omitted in *Rusworth*, but supplied from the *Lords Journals*.

(h) This Speech is most miserably curtail’d in *Rusworth*; nor is it entered at all in the *Journals*, or elsewhere in the printed *Histories*. We have recovered it from an old Manuscript Collection of Parliamentary Proceedings, in this and the next Reign, communicated by Sir John Napier, of *Bedfordshire*, B.A.

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him to repay unto me the *Wrong* done unto them. But, as I said at first, so I pray again, I desire not to live; nay, I wish to God never to have been born, rather than such a Blot should lie on me, as not hope to see a Restoration of the Palatinate, or at least a Possibility of it, before God close up mine Eyes. And I have sworn, that all you have allowed for the Business, shall only and wholly be employed for that End; and, as God shall judge my Soul, I never had any other Meaning, if I had not been bound and limited thereunto. But as, on the other Side, I assure myself, that, as yourselves will confess, here is nothing given for the Relief of my Estate, which all Parliaments were wont to consider of; especially one that has lived in that Necessity, and has had less Supply from my People, than any of my Predecessors, I know not how many hundred Times before: So I assure you, on the other Side, you shall have a new Session in the Beginning of next Winter, that then you may meet together, and consider how to supply my particular Wants; and if you will be careful in this, as I assure myself you will, I will only employ it to the Advancement of such Government among you, as shall become a King, and to the Increase more and more of the Service of God, and restoring the Patrimony of my Children.

For the other Point, I have Reason, and truly, without Complement I do it, to thank you for my own Person, and your particular Behaviour to me at this Time; concerning which I must needs say, that in all this Session, neither in any Days was it heard of; and, I think it is without Example, that ever Lower House sat with that continual Obedience to my Person and Honour; for, in all your Actions, you have given more true Demonstrations hereof, than ever was given heretofore by Lower House: And for Matter of Scandal, it was no sooner moved among you, but it was dashed; avoiding all Occasions that might be a Blot of Offence between me and my People; for which, as I said before, so now again, I thank you, without further Complement; and if it shall please you, when you shall return, to go on this Way, this Parliament shall

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shall be crown'd with the greatest Happiness that ever An. 22. James I.
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was held by a King.

But I must admonish you of some few Things, and that I pray you take in good Part And that as touching Grievances, Mr. Solicitor made mention of some Yesterday, when I was present, as I said to some of you ; so now speak I to all of you, that you be not too ready to hunt out Grievances, where there is no Cause ; for I may say this, and say truly, that I never saw Parliament that had lesser and smaller Matter of Grievances than you have had ; I find most of them to be slight ones, which indeed makes my Heart jovial.

Now, as concerning your Grievances, be careful to present such as shall be general touching the Commonwealth, Trading, and Corporations ; and as it lies not in your Power to raise and create Grievances, but upon just Cause ; so again you ought not to conclude or determine, and remedy, without first letting me have the Hearing and Allowing of it. I will go thro' all your Grievances, and weigh them fully ; and, when I have done, you shall have a clear Answer to them, such a one as shall be agreeing to Justice, and convenient to meet with the present Necessities of my People.

No Courtier's particular Good shall be preferred to the Subjects Requests in general ; and herein I will not take Advice of myself, but I will canvass the Business with the Help of my Privy Council, and the Judges Counsel of the Law. But now, amongst other Grievances, I must tell you some of my Grievances : One is concerning the Manner and Form of Buildings here in London ; you have made a Grievance of it, and I am justly grieved at it ; for, I protest to God, it hath been my only Aim ever since I came into England, to make the City of London, the Metropolis, the Mother City of England ; that I may say with the Emperor, I had it straminium, but I leave it marmoreum. I care not for the Grudges of many particular Men, that are in very deed a Shame to this Kingdom. I marvel much you should condemn the Commission, without hearing the Commissioners : If they be too strict in their Points, I pray you complain to me, and I will redress it, and give you Ease. God

An. 22. James I. knows I have no other End therein, but the Welfare
1624. and Honour of the Kingdom.

Another Cause of Grievance is concerning Dr. Anion, Master of Corpus Christi College in Oxford, whom you have called in question touching Church Matters: You had all of you, at the Beginning of this Parliament, taken the Oaths of Allegiance and Supremacy, whereby you have acknowledged me Supreme Head in Ecclesiastical Matters. I have referred that Matter to the Bishop of Winchester, who is Visitor of that College, upon whose Learning, Gravity, and Piety, I will rely in this Case.

Another Grievance of mine is, that you have condemned the Patents of the Apothecaries in London. I myself did devise that Corporation, and do allow it. The Grocers, who complain of it, are but Merchants; the Mystery of these Apothecaries were belonging to Apothecaries, wherein the Grocers are unskilful; and therefore I think it fitting they should be a Corporation of themselves. They bring home rotten Wares from the Indies, Persia, and Greece; and here, with their Mixtures, make Waters, and sell such as belong to Apothecaries, and think no Man must controul them, because they are not Apothecaries.

Another Grievance is concerning Books seditious and heretical. It is a Shame that England should be the only Place in the World to honour such Books, both Popish on the one Side, and Puritan on the other: But, for this, I will provide there shall be such Overseers, that may prevent their coming into Print, and those that are in Print already, to suppress them. No Man shall be more desirous to fulfil your Desire in this Point than I will.

And lastly, touching my Patents in general, I am grieved that you have called them in, and condemned them upon so short Examination. I confess I might have passed some upon false Suggestion and wrong Information; but you are not to recall them before they be examined by the Judges. And here I have heard it complained of by divers of my learned Counsel in the Law, that you will, from Time to Time, delaying the

the Patentees, still call for Patents without just Ground; and so put the Subjects still to more Charge, and so consequently put a Scorn upon my Patents. An. 22. James I. 1624.

Therefore I advise you to be careful, that you have a good Ground before you call for your Patents, that you do not defraud the Patentees; hereupon falls out that which I spake to the Face of many here present, The Lawyers, of all the People of the Land, are the greatest Grievance to my Subjects; for when the Case is good for neither Party, yet it proves good and beneficial to them: Therefore this I say to you, when you judge of Patents, bear patiently, say not presently 'tis against the Law, for Patents are not to be judged unlawful by you.

I must first believe myself and my Council, and then you are to give your Opinions of the Conveniences that may ensue thereupon. And now I pray you take in good Part my Thanks and Admonitions both; and I assure myself you will take my fatherly Admonitions, as well as my Thanks, in good Part, as you ought to do from a King, who ever was, and still will be the Father of your Country.

‘ Then the Lord Keeper spake to the Particulars of the Speaker’s Speech, and, by his Majesty’s Command, approved them all, alluding the general Consent of both Houses [*in their Advice to his Majesty*] to the *Septuagint*, directed by the Holy Ghost; and, touching the Speaker’s Desire for the King’s Assent to the Bills past both Houses, he said, the Royal Assent is proper to the Lawgiver; and shewed, that it is best for the People that this is in his Majesty’s Power, and not in themselves; for the King knoweth what is best to be granted unto his People, as may appear by the Petition that *Bathsheba* made to King *Solomon*, to give unto *Adonijah* *Abisbag* to Wife; which had *Solomon* granted, he had given *Adonijah* Means to usurp the Kingdom, contrary to *Bathsheba*’s Meaning; and such is his Majesty’s Intent this Day, for such Bills which will not pass. That his Majesty hath given Consent to all the Bills of Grace, and to th

And the Lord
Keeper’s.

An. 22. James I. of the Continuance of some Statutes, and Repeal
1624.

of others, so necessary for the Good of the People. That his Majesty accepteth in good part their Thanks for his general Pardon, which he hath so freely granted unto his Subjects: But his especial Command is, That those that are in Office do strictly look to the Execution of the Laws against Recusants. The Subsidies his Majesty graciously accepteth, and therefore imitates not the Story in *Macrobius*, of one who had all his Debts paid, and instead of Thanks, answered, *mibi nihil*: Tho' this be given to the *Palatinate*, his Majesty interpreteth it as given to himself, and rendreth to you all hearty Thanks for the same. [*As for your own Request, Mr. Speaker, his Majesty holds it impertinent; there needs no Pardon where no Error is committed.*]

'The Lord Keeper having ended his Speech, the Clerk of the Crown stood up and read the Titles of the Bills passed both Houses; and the Clerk of the Parliament read his Majesty's Answer to each Bill, which being done, his Majesty remembered the breaking up of three [*former*] Parliaments together, and the happy Conclusion of this Session; and put the Commons again in mind, that at their next Meeting they do so carry themselves, that this Parliament may be as happily continued to the End.'

The Parliament
prorogued.

After all which was concluded, the Lord Keeper of the Great Seal, by his Majesty's Command, prorogued this present Parliament to the 2d Day of *November* next ensuing. At which Time it was again prorogued, by Commission, to the 16th Day of *February* following (*i*); from thence to the 15th of *March*; and, lastly, to the 20th Day of *April*, which was in the Year 1625 (*k*). Before which

(*i, k*) There is a Proclamation printed in *Rymer's Public Acts*, Tom. XVII, p. 625. for proroguing the Parliament from the 2d Day of *November* to the 16th Day of *February* next coming. The Reason given there for it was, on account of a general Sickness then reigning, which proved mortal to many and was very infectious; particularly in the Cities of *London* and *Westminster*. The second Proclamation for proroguing to the 15th of *March* is also at p. 648. but without any Reason being assigned for it.

which last Date, viz. on the 27th of *March*, in An. 23. James I. 1625.
the same Year, King *James* died; by whose
Death this Parliament was finally dissolved.

Besides the long Affair of the *Spanish* Match, the
Business of the *Palatinate*, the Trial of the Lord The Death of the King.
Treasurer, &c. which took up much Time; such
a Number of public and private Acts were made
and passed in this Parliament, as scarce ever was
done by any before. The printed Statutes only
mention 35, *Rushworth*, together, makes them 73;
but, in a Catalogue of the Acts, at the End of the
Lords *Journals*, for this Reign, are the Titles of
118. This may be some way accounted for,
because no Acts at all were passed in the last Par-
liament; that Business being put a Stop to by its
sudden Dissolution; so that this took up what the
other had left unfinished; and, both, together,
made the Number grow to so great a Height.

There is no Necessity to enter into the Particu-
lars of any of these Acts, the most material of
them being already printed; except the last Bill of
Subsidies, which, by the King's extraordinary Con-
cessions, was made so difficult as to puzzle both
the Houses in drawing it up and carrying it through
the usual Forms. Never any King or Queen of
England, before, did give Leave for the Parlia-
ment to name and appoint their own Treasurers
and Commissioners for disbursing the Money to be
raised by a Grant. By what we find in the fore-
going Proceedings, this Supply was all designed to
go for the Recovery of the *Palatinate*; and the
King's voluntary Offer of putting it out of his own
Power to touch a Penny of it, evidently shews that
he did not slight his own Descendents, so much as
some Authors have, very ungenerously and unna-
turally, represented.

Upon the whole, we shall enter no farther into
the Character of this King; but leave it to be de-
termined by every Reader's Judgment, on the dif-
ferent Transactions, throughout his whole Reign,
between him and his Parliaments. The Republi-
can Party, which grew to such a Height in the
next

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An. 23. James I. next Reign, have spared no Pains to blacken him;
1625. and will not allow him any one good Action in
Government. Some of their Authors making him
no better than a dreaming Pedant: Whilst, by
those of another Stamp, he is cried up for an *En-
glish Solomon*.——Perhaps, *Medio tutissimus ibis*.



CHARLES

CHARLES the First.

WE now enter upon a Reign which proved very unfortunate both to Prince and People; the former lost his Life, and the latter had their Liberties taken from them, by a Set of Men, whose first Pretences in taking up Arms were to defend both. The Disquisition of which Matters, as it has been great Labour, in the Collectors, to compile, so will it require no less Patience in the Readers to peruse and digest. The Instruments of State, Messages, Declarations, and Speeches, for and against the Prerogative of the Crown, being, many of them, long and tedious; and yet will allow of no Abridgement in a Work of this Nature.

The Accession of Charles I.

King Charles I. like his Father, began his Reign, in *England*, at a very unhappy Period. A dreadful Plague having been some Time, and was then raging in *London* and *Westminster*, and Parts adjacent, which swept off many Thousands of People. But this did not hinder the Match with *France*, which had been some Time before negotiating, from going forward; *May 1.* the Marriage was celebrated, by Proxy, at *Paris*; and *June 11.* the new Queen landed at *Dover*; the next Day the King met her at *Canterbury*, where the Nuptials were compleated.

His Marriage with a Daughter of France.

Before this last Affair happened, a Parliament had been summoned to meet at *Westminster*, on the 7th Day of *May* (a), by Writs bearing Date, from the same Place, *April 2.* but was further prorogued to the 31st of the said Month. From that Time it was again prorogued to the 13th of *June*, and from thence to the 18th, which Prorogations, we suppose, were on account of the Queen's Landing, and the Ceremonies in consequence of it. But *June 18th*, the King being seated on the Throne, the

A Parliament Anno Regni, 1. 1625. At Westminster.

(a) Lords Journals,

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An. 1. Charles I. the Lords in their Robes, and the Commons attending, his Majesty spoke as follows:
1625.

My Lords Spiritual and Temporal, and you Gentlemen of the House of Commons, in this Parliament assembled,

The King's
Speech at open-
ing the Session.

I May thank God, that the Business to be treated on at this Time is of such a Nature, that it needs no Eloquence to set it forth; for I am neither able to do it, nor doth it stand with my Nature to spend much Time in Words. It is no new Business, being already happily begun by my Father of blessed Memory, who is with God; therefore it needeth no Narrative: I hope in God you will go on to maintain it, as freely as you advised my Father to do it. It is true, he may seem to some to have been slack to begin so just and so glorious a Work; but it was his Wisdom that made him loth to begin a Work, untill he might find a Means to maintain it: But after that he saw how much he was abused in the Confidence he had with other States, and was confirmed by your Advice to run the Course we are in, with your Engagement to maintain it, I need not press to prove how willingly he took your Advice; for, the Preparations that are made, are better able to declare it, than I to speak it. The Assistance of those in Germany, the Fleet that is ready for Action, with the rest of the Preparations, which I have only followed my Father in, do sufficiently prove, that he entered, [not superficially, but really and heartily, into this Action.

My Lords and Gentlemen, I hope that you do remember, that you were pleased to employ me to advise my Father, to break off those two Treaties that were on foot; so that I cannot say, that I came hither a free unengaged Man. It is true, I came into this Business willingly and freely, like a young Man, and consequently rashly; but it was by your Interest, your Engagement: So that though it were done like a young Man, yet I cannot repent me of it, and I think none can blame me for it, knowing the Love and Fidelity you have [ever] born to your Kings;
hat

having myself, likewise, some little Experience of your Affections. I pray you remember, that this being my first Action, and begun by your Advice and Intreaty, what a great Dishonour it were [both] to you and me, if this Action, so begun, should fail of that Assistance you are able to give me. Yet knowing the Constancy of your Love both to me and this Business, I needed not to have said this, but only to shew what Care and Sense I have of your Honours and mine own. I must intreat you likewise to consider of the Times we are in, how that I must adventure your Lives (which I should be loth to do) should I continue you here long; and you must venture the Business, if you be slow in your Resolutions. Wherefore I hope you will take such grave [and wise] Counsel, as you will expedite what you have in-hand to do: Which will do me and yourselves an infinite deal of Honour; you, in shewing your Love to me; and me, that I may perfect that Work which my Father hath so happily begun.

An. 1. Charles I.
• 1625.

Last of all, because some malicious Men may, and, as I hear, have given out, that I am not so true a Keeper and Maintainer of the true Religion that I profess; I assure you, that I may with St. Paul say, that I have been train'd up at Gamaliel's Feet: And although I shall never be so arrogant as to assume unto myself the rest, I shall so far shew the End of it, that all the World may see, that no Man hath been, nor ever shall be more desirous to maintain the Religion I profess, than I shall be.

Now because I am unfit for much speaking, I mean to bring up the Fashion of my Predecessors, to have my Lord Keeper speak for me in most Things: Therefore I have commanded him to speak something unto you at this Time, which is more for Formality, than any great Matter he hath to say unto you.

Then the Lord Keeper, Williams, (b) added, 'That And the Lord
' the King's main Reason of calling the Parliament, Keeper's.
' besides

(b) According to Rushworth and Franklyn, the Lord Keeper, at this Time, was Sir Thomas Coventry. But Mr. Philips, in his Life of Bishop Williams, says that his Lordship yet continued Lord Keeper, which is confirm'd by the *Chronica Juridicalia*, where that Sir Thomas Coventry was not appointed to that Office till 18 of November 1625.

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An. 7. Charles I.
1625.

besides the beholding of his Subjects Faces, was to mind them of the great Engagements for the Recovery of the *Palatinate*, imposed on his Majesty by the late King his Father, and by themselves, who brake off the two Treaties with *Spain*. Also to let them understand, That the succeeding Treaties and Alliances, the Armies sent into the *Low-Countries*, the Repairing of the Forts, and the Fortifying of *Ireland*, do all meet in one Centre, the *Palatinate*; and that the Subsidies granted in the last Parliament, are herein already spent, whereof the Account is ready, together with as much more of the King's own Revenue. His Lordship further commended three Circumstances:

First, The *Time*; all *Europe* being at this Day as the Pool of *Bethseda*, the first stirring of the Waters must be laid hold on: Wherefore his Majesty desires them to bestow this [*first*] Meeting on him, or rather on their Actions; and the next shall be theirs, as soon, and as long as they please, for Domestic Business.

Secondly, The *Supply*; if Subsidies be thought too long and backward, his Majesty desires to hear, and not to propound the Way.

Thirdly, The *Issue of Action*; which being the first, doth highly concern his Majesty's Honour and Reputation, for which he relies upon their Loves, with the greatest Confidence that ever King had in his Subjects; witness his Royal Posey, *Amor Civium Regis Munimentum*: And he doubts not, but as soon as he shall be known in *Europe* to be their King, so soon shall they be known to be a loving and loyal Nation to him.

Sir Thomas
Crew, chosen
Speaker.

The *Journals* of the Lords here assist us to fill up a Vacancy, in those of the other House and in *Rushworth*; and that is an Abstract of the Speaker's Oration, on his being presented to the King for Approbation, and the Lord Keeper's Answer to it. The former Authorities tell us, That, on *June the 20th*, the Commons presented Sir *Thomas Crew*, *Kt.* Sergeant

Sergeant at Law, for their Speaker; who made his formal Excuse; but being confirm'd in his Office, he address'd himself to the Throne in Words to this Effect:

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‘ He first protested that he undertook the Office of Speaker, in Obedience, only, to his Majesty; he remembred the Proceedings in the last most happy Parliament, in which it pleased the late King, of famous Memory, to ask the Advice of his People; and expressed their Joy that God, who hath the Power of the Hearts of Kings, directed his Majesty, that now is, to proceed in the like Parliamentary Course. That, as a Woman forgets her Sorrow at the Birth of a Man-Child, so they, when his Majesty was placed on his Father's Throne, had their Hopes, that as good King *Hezekiah*, was five and twenty Years of Age, and having a wife and great Council, when he began to reign, and, at his first Entrance, shewed his Zeal to God and his Care for Religion; so his Majesty being of the same Age, and having a faithful People to advise him, will maintain true Religion and the antient Laws, so much esteemed in all Ages. In this, he said, their Hopes were the greater, for that his Majesty begins with a Parliament, and remembers his Father's Charge to maintain our Religion. That it was God's merciful Power to bring his Majesty back out of Danger when he was in a strange Land. He expressed their Sorrow for his then Absence, and exceeding great Joy at his safe Return; and humbly besought his Majesty, That now God had put the Sword into his Hand, he would extend it for the Recovery of the *Palatinate*, so dishonourably gotten and kept by hostile Arms; which was antiently a Refuge for Religion; and not to suffer those Locusts the *Jesuits* to eat up the good Things of this Land. He acknowledged his Majesty's Stem to be lineally descended from *Lucius*, the first *British* King that embraced the Gospel; and concluded with the accustomed Petitions for Freedom from Arrests, *eundo, sedendo, et redeundo*, during this Parliament; for Freedom

His Oration to
the Throne.

of

AN. 1. Charles I.
1625.

of Speech in their Consultations ; not doubting but to confine themselves within the Limits of Duty and Modesty ; Access to his Majesty on all needful Occasions ; and a benign Interpretation of all their Actions, and of this his Speech in particular.’

The Lord Keeper’s Answer.

The Lord Keeper, having first had Conference with the King, answered to this Effect: ‘ That his Majesty had amply accepted the Speaker’s Obedience, tho’ he refused his Sacrifice. That he remembered the last Parliament to be happy ; as it was so accounted by the late King, so esteemed by his Majesty, and so it proved by the Event, in which the two Treaties with *Spain* were dissolved, and so many gracious Laws enacted. It became the late King so to close his Government ; in which Parliament, our present King being a principal Actor, he can never forget the Desires of the Commons nor the Wishes of the Lords.’

‘ That his Majesty takes in good Part Mr. Speaker’s Observation of the five Circumstances of his Entrance to the Crown ; as that he began with a Parliament ; that he came to us with Noble Blood, being lineally descended from the antient *British* Kings ; that his Succession sweetned the Loss of his glorious Father ; that God was with him in a strange Land, and delivered him from thence ; even as God was with *Moses* so be he always with his Majesty, to which let all say *Amen*. And, lastly, that his Majesty professes the true Religion, it being the last Blessing his Father gave him to have a special Care thereof. As Mr. Speaker recommends to his Majesty the Laws of the Land ; so he, also, recommends the same to the Lawyers ; that they study the antient Laws, themselves, and not the Abridgements. And whereas you represent to his Majesty that unjust Acquisition of the *Palatinate*, the Dishonour of our Nation, no Man can but be sensible of his Majesty’s Care for the Recovery thereof ; he having given a lively Representation of his Affection to it, himself, the other Day in this Place. He now hopes that ye who first drew him

him into this Action will give him such Supplies as will enable him to perform it.' An. 1. Charles I.
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'And, as touching the Banishment of those Locusts the Priests and Jesuits, his Majesty commends that Saying of St. *Ambrose*, *That the poorest Man hath Interest in Religion*. Yet, he desires you to trust him with the Manner thereof, and he will be careful to give you good Satisfaction of his Zeal therein. Lastly, as touching Mr. Speaker's Petitions for your Privileges, his Majesty grants them all without any Limitation; knowing well that yourselves will punish the Abuses thereof.'

The first Business done, in the House of Commons, was to appoint a solemn Fast amongst themselves (c). It had been the Custom in several late Parliaments to begin in the same Manner, but now it was, more particularly, urged, on account of the general Plague which was round them. The next Day, *June 22d*, a Committee of Privileges and Elections being appointed, Sir *Benjamin Rudyard* got up and spoke to this Effect: 'That the late Distastes taken between the late King and his Parliaments, were the chief Cause of all the Miseries of the Kingdom. The first Turn of which, towards a Reconciliation, was given by the now King, then Prince; by which accrued more Benefit to the Subject, than in any Parliament these many hundred Years. What may we then expect from him, being King, and having Power in his own Hands? His good natural Disposition; his Freedom from Vice; his Travels abroad; his being bred in Parliaments (d), promised greatly. Therefore, he moved to take such Course now to sweeten all Things between King and People, that they may never afterwards disagree.'

The Commons appoint a Fast amongst themselves.

Motion for a good Harmony between King and Parliament.

Sir *Edward Coke* moved, 'That there might be no Committees for Grievances or Courts of Justice; first, in respect of the Plague; next, because this was

(c) In the Year 1581. *An. 23. Eliz.* The Commons having appointed a Fast, by their own Authority, the Queen highly resented it as an Intrusion upon her Authority Ecclesiastical. See Vol. IV. p. 236.

(d) It appears by the *Lords Journals*, in the last Reign, that the Prince of Wales daily attended the Service of the House.

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was the very Beginning of the new King's Reign, in which there can be no Grievances as yet; thirdly, because the Petition against Grievances, in the last Parliament of the late King, was preferred too late; only to petition for an Answer to these. For, adds he, though the Prince is gone the King liveth; no *Interregnum*.'

The rest of this Days Debates turned, chiefly, on raising a Supply, and the old Topic of putting the Laws in Execution against *Jesuits*, *Papish Priests*, &c. The Solicitor General acquainted the House, 'That the King had taken Care of their Grievances preferred the last Parliament; and, at any one Day the House would assign, Satisfaction would be given them therein.'

The Plague still raging more and more, in and about *London*, made the Members of both Houses very uneasy in their Situation at *Westminster*; some of them taking Notice, that the Bell was tolling every Minute, whilst they were speaking. At the Petition of both Houses, the King proclaimed a general Fast, all over the Kingdom, on a certain Day; and his Majesty, in Person, went with the two Houses to Prayers and Sermon, at *St. Margaret's Church* in *Westminster*.

July 4. Sir *Edward Coke* reported the King's Answer to the Commons Petition, about a Recess from Parliament, at this sickly Season: 'That the King had taken their Safety, which he valued more than his own, into Consideration; and when he should hear the Commons were ready with their Bills, for he would not hasten them in any Thing, he would put an End to this Session.'

The Lords reject
the Bill of Ton-
nage, because
granted for one
Year only.

The next Day, the Bill for granting two entire *Subsidies*, passed the Commons; *Tonage* and *Poundage* was, also, given; but, because, it was limited for one Year, whereas, former Grants to his Majesty's Predecessors were for Life, the House of Lords would not pass it. It was also declared, 'That the Intention and Resolution of the House was, as in the Act of *Subsidy*, 21. *Jac.* that all Charges mentioned there, are to be deducted out
of

of the *Subsidies* and *Fifteenths*, and to be paid according to that Act. An. 1. Charles I.
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July 7. An Affair came on in the House of Commons, which must make a great Noise at that Time. A Complaint had been made there against one Dr. *Montagu*, for printing and publishing a Book, called *An Appeal to Cæsar*. The Recorder of *London*, one of the Committee appointed to examine into this Matter, made a Report, ' That the Archbishop of *Canterbury* had censured the said Dr. *Montagu* for a former Book (*f*), and had told him, that tho' there were some Things in it which might receive a favourable Interpretation; yet there were others in it not of that Nature. In which the Committee all agreed, That the Archbishop had done what was fitting: But they were of Opinion, That there were many Things contained in the Doctor's Books directly contrary to the Articles of Religion established by Parliament; as that the Church of *Rome* was *vera Christi Ecclesia, & Sponsa Christi*; and that the said Church *eadem Fundamenta Doctrinæ & Sacramentorum nititur*: That the Committee held this second Book as factious and seditious, tending manifestly to the Dishonour of the late King, and the Disturbance of both Church and State. For the first, he denies that *Arminius* was the first that infected *Leyden* with Errors and Schisms: That the Synod of *Dort*, so honoured by the late King, was slighted by him; calls it *forinsecus*, and partial; he knows not what Ends they had, nor cares for them: He directs his Book to the present King, and calls it *Appello Cæsarem*, and yet says the *Pope* is not *Antichristus*; which is contrary to what the late King himself had wrote to all *Christian* Princes. The Committee think that there is enough in this Book to put a Jealousy between the King and his well-affected Subjects. Says there are some amongst us that desire an *Anarchy*, and means the *Puritans*, whom yet he hath not defined. He plainly inti-

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mates

(f) The first Book was called, *A new Gag for an old Goose*, Answer to a *Papish* Book, called, *A Gag, for the new Gospel*.
Rushworth.

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mates that there are *Puritan* Bishops; which the Committee conceived tended much to the Disturbance of the Peace in Church and State. He respects *Bellarmino*, but slighted *Calvin*, *Beza*, *Perkins*, *Whitaker*, and *Reynolds*. In his Book he much discountenances God's Word, disgraces Lectures and Lecturers, and Preaching itself; nay, even reading the Bible. That never a Saint-seeming, Bible-bearing, hypocritical *Puritan* was a better Patriot than himself. Upon the whole, That the Frame of the Book was to encourage *Popery*; in maintaining the *Papists* to be the true Church, and that they differ not from us in any fundamental Point. If therefore they hold us Heretics, and not to be saved, and we hold the contrary of them, who will not think it safer for us to be in their Church than in ours? The *Papists* read, and commend this Book to others to be read; whereas they suffer none of ours to be read amongst them. Lastly, He had done an Injury to that House in two Points: That when he knew his first Book was there questioned, and referred to the Archbishop of *Canterbury* for Censures, he prints a new Book worse than the former. And whereas a Petition had been preferred to this House by one *Yates* and *Ward*, he says they are *Puritans*, altho' they have subscribed the Articles; and to revile them for this, is a Reflection upon the House.

The King interposes in his Favour.

Upon the Question, it was resolved, That, at their next Meeting, the Lords should be acquainted with these Books, and a Conference to be prayed with their Lordships about them: Likewise for a Touch, as it is termed, to commit him to the Custody of the Sergeant at Arms, to answer his Contempt in the next Session. But the King sending a Message to the House, that Dr. *Montagu*, being his Servant and Chaplain in Ordinary, he had taken the Cause into his own Hand; wished they would enlarge him, and that he would take Care to give the House Satisfaction in it; the Doctor, upon giving in Bail of 2000 l. was discharged out of Custody.

This

This was the most material Business the Commons went upon, in the first Session of this Parliament: Nor was there any Thing done, worth Notice, by the Lords, except the Introduction into that House of *John* Earl of *Clare*, *Oliver* Earl of *Bolingbroke*, *Francis* Earl of *Westmoreland*, *William* Lord Viscount *Say* and *Seale*, *James* Lord *Ley*, Lord High Treasurer of *England* (g), and *Edward* Lord *Conway*, Secretary of State. They also join'd in a Petition to the King with the Commons, about Matters of Religion: To which his Majesty answered, 'That he was very glad to find the Parliament so forward in Religion; and assured them that they should find him equally so: But that their Petition being long, the Answer to it must be deferred to another Opportunity.'

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His Majesty's
Answer to the
Petition concern-
ing Religion.

July the 11th, the Day that both the Houses desired a Recess, on account of the Contagion, after a Motion to that Purpose, the Commons ordered, 'That their House should be called over the third Day of the next Meeting, and those Members that were absent should incur the Censure of the House.' Afterwards, being informed by the Lords, that a Commission was come to them to pass the Bills, and adjourn the Houses, the Speaker went up with the rest; and, upon presenting the *Subsidy* Bill, which, he said, was the first Fruits of their Love, the Lord *Conway*, Secretary of State, spoke to this Purpose; 'He signified the King's gracious Acceptance of the Bill of two *Subsidies*; yet, that the Necessity of the present Affairs were not therewith satisfied, but required their further Counsels. He reminded them that the late King was provoked beyond his Nature, to undertake a War for the Recovery of his Children's antient Patrimony; that the Charges of this War appeared, by Computation, to amount unto 700,000 l. a Year; to support the *Netherlands*, and to prevent the Emperor's Designs of concluding with the Princes of *Germany*, utterly to exclude the *Palgrave*, he levied an Army under Count *Mansfield*; the Kings of *Den-*

Lord Conway re-
presents the State
of foreign Affairs.

Z 2 mark

(g) Sometime before Lord Chief Justice of the King's Bench.

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Ap. 1. Charles I. *mark* and *Sweden*, and the Princes of *Germany*, le-
 1625. vied another ; *France*, *Savoy*, and *Venice*, joined to-
 gether for a War of Diversion ; and, lastly, to up-
 hold the *Netherlands*, the Charges of *Mansfield's*
 and the *Danish* Army must yet continue.'

The Parliament
 adjourned to Ox-
 ford on account
 of the Plague.

The Lord Keeper then told the Houses, ' That
 his Majesty had received their Petition about Reli-
 gion, and had answered it, in some Measure, before ;
 but now he had done it to the full ; ' which Peti-
 tion and Answer will appear in the Sequel. After-
 wards the two Houses adjourned (the Lords accord-
 ing to the King's Commission, but the Commons of
 themselves) to the first of *August* next, at *Oxford*.

The Contagion still raging very sore, the Re-
 ceipt of the King's Exchequer was removed to
Richmond ; and all the Fairs, within 50 Miles of
London, were prohibited, to prevent a more general
 Infection. During this short Recess an Affair hap-
 pened, which occasioned much Disgust against the
 Prime Minister, the Duke of *Buckingham*. This
 Nobleman lost no Ground in losing his old Master,
 King *James* ; for, if possible, he was a greater Fa-
 vourite with the Son and Successor, than ever he
 had been with the Father: His Popularity, how-
 ever, had begun to fall off some Time ; and all
 the Reputation he had gained, in his Recital of his
 Conduct in *Spain*, as mentioned in the last Reign,
 was blasted by some Suspicions that were entertain-
 ed of that Affair, and his Mismanagement of the
 Administration ever since.

The religious War in *France* was now very warm ;
 the Town of *Rochell* was in the Hands of the Pro-
 testants, and the *French* King preparing to besiege
 it by Sea and Land, some Ships of the Navy Royal
 of *England*, with their Complements of Men, were
 lent to the *French* for that Purpose: But their
 Crews absolutely refused to fight against People of
 their own Religion ; and a Tumult began amongst
 them, in which they got up their Anchors and set
 Sail for *England*, saying, They would rather be
 hang'd at home, than be Slaves to the *French*, and
 do Hurt to their Brethren. The Duke ordered
 Admiral

Admiral *Pennington* to go back with the Fleet, which he did ; but still all the Companies declined the Service, and actually left their Ships before they would submit to such Orders. This Affair happening in the Interval of the Recess of Parliament, gave the Duke's Enemies greater Scope to execute their Designs against him.

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On the first of *August* the Parliament met at *Oxford* ; and, on the fourth, the Lords and Commons were commanded to attend the King, in the Great Hall at *Christ-Church* ; where he spake to them as followeth :

My Lords, and you of the Commons,

WE all remember, that, from your Desires and Advice, my Father, now with God, brake off those two Treaties with Spain that were then in hand : Well you then foresaw, that, as well for regaining my dispossessed Brother's Inheritance, as home Defence, a War was likely to succeed ; and that as your Counsels had led my Father into it, so your Assistance, in a Parliamentary Way, to pursue it, should not be wanting. That Aid you gave him by Advice, was for Succour of his Allies, the guarding of Ireland and the home Part, Supply of Munition, preparing and setting forth of his Navy. A Council you thought of, and appointed for the War, and Treasurers for issuing of the Monies : And, to begin this Work of your Advice, you gave Three Subsidies, Fifteenths, and Tenths ; which, with Speed, were levied, and, by Direction of that Council of War, (in which the Preparation of this Navy was not the least) disbursed.

It pleased God, at the Entrance of this Preparation, (by your Advice begun) to call my Father to his Mercy, whereby I entered as well to the Care of your Design, as his Crown. I did not then, as Princes do, of Custom and Formality re-assemble you, but that, by your further Advice and Aid, I might be able to proceed in that which, by your Counsel, my Father was engaged in. Your Love to me, and Forwardness to further those Affairs, you expressed by a Grant of Two Subsidies, yet ungathered ; altho' I must as-

sure

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*sure you, by myself and others, upon Credit taken up, and
forehand disbursed; but all far too short, as yet, to set
forth the Navy now preparing; [as I have lately found
by Estimate of those of Care and Skill employed
about it. Before you could be acquainted fully
with these Necessities of further Aid, it pleased God
to visit the Place of your Assembly then with a
grievous Plague. To stay you in that Danger had
been a Neglect of my just Care, and to prorogue
the Parliament had been to destroy the Enterprize:
I therefore adjourned you to this Place; a Place
then free from that Infection, with which it hath
pleased God since also to visit. Here, then, to hold
you long against your own Desires, were to express
little Care of your Safeties; and to adjourn it, with-
out your further Helps, were to destroy the Pre-
paration already made: I therefore leave the Care
of both to your Elections, Resolutions, and An-
swers; only acquainting you with my own Opi-
nion, which is, That it is better far, both for your
Honours and mine, that, with Hazard of half the
Fleet, it be set forth, than, with the assured Loss
of so much Provision, it be stayed at Home.*

*The whole Particular of all Expences about this
Preparation shall be laid before you, when you shall
be pleased to overlook them, and the Lord Trea-
surer, with other Ministers employed, shall ac-
quaint you with them] (b).*

After his Majesty had ended this Speech, he com-
manded his Secretaries, the Lord *Conway* and Sir
John Cook, more particularly to declare the present
State of his Affairs; which they did to this Effect:

Lord Conway and
Sir John Cook
declare the State
of the King's
Affairs.

THAT our Sovereign Lord King *Janes*, of
famous Memory, at the Suit of both Houses
of Parliament, and by the powerful Operation
of his Majesty that now is, gave Consent to
break off the two Treaties with *Spain*, touching
the *Match* and the *Palatinate*, and to vindicate
the

(b) This long Passage, and the rest, within Crotchets, are omitted
in *Rushworth*, but supplied from the *Lords Journals*.

the many Wrongs and Scorns done unto his Majesty and his Royal Children: Besides, if the King of *Spain* were suffered to proceed in his Conquests, under Pretence of the Catholic Cause, he would become the Catholic Monarch, which he so much affects, and aspires unto. Also amidst these Necessities, our late King considered that he might run a Hazard with his People, who being so long inured to Peace, were unapt to War; that the uniting with other Provinces in this Undertaking, was a Matter of exceeding Difficulty. This drew him to new Treaties for regaining his Childrens Right, which were expelled by the Friends and Agents of *Spain*; and wherein his Majesty proceeded as far as the wisest Prince could go, and suffered himself to be won unto that, which otherwise was impossible for his Royal Nature to endure. He considered also the many Difficulties abroad; the Duke of *Bavaria*, by Force and Contract, had the *Palatinate* in his own Possession; most of the Electors and Princes of *Germany* were join'd with him; the Estates of other Princes, most likely to join in a War of Recovery, were seized and secured, and all by a conquering Army: Besides, the Emperor had called a Diet, in which he would take away all Possibility of recovering the Honour and Inheritance of the *Palatinate*: Thus it stood in *Germany*. And, in *France*, the King there chose to sheath his Sword in the Bowels of his own Subjects, rather than to declare against the Catholic Cause. In the *Low Countries*, the Sect of the *Arminians* prevail'd much, who inclined to the *Romans* rather than to their own Safety, notwithstanding that the Enemy had a great and powerful Army near them; so that his Majesty was enforced to protect and countenance them with an Army of 6000 Men from hence, with a Caution [of Repayment of the Charges] and the like Supply further, if required. Moreover, he sought Alliance with *France*, by a Match for his Royal Majesty that now is, thereby to have Interest

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terest in that King, and to make him a Party.
The last Consideration was his Majesty's own Honour, who had laboured with the two Kings of *Denmark* and *Sweden*, and the *German* Princes, from whom he received but cold Answers, they refusing to join, unless they first saw his Majesty in the Field: But of this he was very tender, unless the Leage was broken, or he first warred upon. The Forces of an Army were considered, and the Way of proceeding, whether by Invasion or Diverfion: The Charges thereof appeared in Parliament to be 700,000 l. a Year; besides *Ireland* was to be fortified, the Forts here repaired, and a Navy prepared, he thought it feasible to enter into a League with the *French* King, and the Duke of *Savoy* and *Venice*.

Hereupon an Army was committed to Count *Mansfield*, the Charge whereof came to 20,000 l. (i) a Month for his Majesty's Part; also he commanded the preparing of this great Fleet: All which so heartened the Princes of *Germany*, that they sent Ambassadors to the Kings of *Denmark* and *Sweden*, and those two Kings offered a greater Army, both of Horse and Foot, to which his Majesty was to pay a Proportion. Count *Mansfield's* Army, tho' disastrous, produced these happy Effects: *First*, It prevented the Diet intended by the Emperor. *Secondly*, The *German* Princes gained new Courage to defend themselves and oppose their Enemies. *Thirdly*, The King of *Denmark* hath raised an Army, with which he is marched in Person as far as *Minden*. Moreover, the Confederates of *France* and *Italy* have prosecuted a War in *Milan*, and Peace is now made by the *French* King with his own Subjects; so that by this Means, Breath is given to our Affairs.

This Parliament is not called in meer Formality upon his now Majesty's first coming to the Crown; but upon these real Occasions, to consult with the Lords and Commons: Two *Subsidies* are already given, and graciously accepted; but the Monies

thereof,

(i) In *Rushworth* 70,000 l.

thereof, and much more, are already disbursed. An. 1. Charles I
1625.
A Fleet is now at Sea, and hastening to their Rendezvous, the Army is ready at *Plymouth*, expecting their Commanders. His Majesty's Honour, Religion, and the Kingdom's Safety, is here engaged; besides, he is certainly advised of Designs to infest his Dominions in *Ireland*, and upon our own Coasts, and of the Enemy's Increase of Shipping in all Parts. These Things have called the Parliament hither, and the present Charge of all amounts to above 400,000 l. the further Prosecution whereof, the King being unable to bear, hath left it to their Consultations. His Majesty is verily persuaded, that there is no King that loves his Subjects, Religion, and the Laws of the Land, better than himself; and likewise, that there is no People that better love their King, which he will cherish to the uttermost. It was thought that this Place had been safe for this Assembly; yet, since the Sickness hath brought some Fear thereof, his Majesty willeth the Lords and Commons to put into the Ballance, with the Fear of the Sickness, his and their great and weighty Occasions.

Then the Lord Treasurer added, 'That the late King, when he died, was indebted to the City of *London* 120,000 l. besides Interest, and indebted for *Denmark* and the *Palatinate* 150,000 l. and indebted for his Wardrobe 40,000 l. That these Debts lie upon his Majesty that now is, who is indebted unto *London* 70,000 l. That he hath laid out for his Navy 20,000 l. and 20,000 l. for Count *Mansfield*. And, for Mourning and Funeral Expences for his Father, 42,000 l. For Expences concerning the Queen, 40,000 l. The Navy will require, to set it forth in that Equipage as is requisite for the great Design his Majesty hath in Hand, and to pay them for the Time intended for this Expedition, 300,000 l.'

The Proceedings of the Commons being now the principal Things done in this Parliament, we shall

An. 1. Charles 1.
1625.

The Commons
resume the Com-
plaint against Dr.
Montagu.

shall chiefly follow the Authority of their *Journals* for our Testimony therein. We are told, That the first Day of this Session, the Affair of Dr. *Montagu's* Books was brought again on the Carpet, by Sir *Edward Coke*, and others: The Sergeant at Arms told the House, that he had the Doctor's Bond of 2000 l. for his Appearance; but that he had lately got a Letter from him that he was sick of the Stone: On which the Sergeant was ordered to produce both the Bond and the Letter. The Solicitor General begg'd Leave to put the House in mind of his Majesty's Message to them before the last Recess; and moved to acquaint the King with the Particulars and Consequences of the Book, and doubted not but they would have Leave to send for him. Hereupon a Debate arose, Whether any of the King's Servants might be questioned in that House? One urged the Danger of such an Exemption; and others named some Instances where they had; as, particularly, the Case of Sir *Thomas Parry*, who was a Privy Counsellor, whom the King desired might be left to him; but the House would not consent, but expelled him. Mr. *Wentworth* (afterwards Earl of *Strafford*) mentioned the Lord Chancellor *Bacon's* and the Lord Treasurer *Middlesex's* Cases, whom this House dealt with; he said *Montagu* reproached Bible-bearers, which was the Arms of that University; and moved to proceed against him for a Contempt of that House. This was agreed to, and to pray a Conference with the Lords about it; not to meddle with his Tenets, but to leave them to the Bishops. The Sergeant was commanded, at his Peril, to bring Dr. *Montagu* to the House, with all convenient Speed, and he to stand committed till he shall be discharged by the House.

The Commons then proceeded to take into Consideration the King's Speech, and the subsequent Account from the Secretaries; and ordered, That all the Members shall attend the next Morning, and not depart without Licence, on Pain of the Censure of the House.

August

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August 5. The two Chancellors of the Exchequer and Duchy, the Treasurer of the Household, and some more, moved for the Supply; which, they said, must be two *Subsidies*, and two *Fifteenths*, at least, for less would not serve for the present Occasions. This was opposed by others, who urged to know the Cause for this Supply, and the Enemy against whom the Preparations were destinated: That the Estates of the Papists, who contributed to their Enemies, may be speedily looked into, to supply the King. Old Sir *Edward Coke* begins, as usual, in this Debate, with some *Latin Sentences*, ‘*Necessitas affectata, invincibilis, & improvida*: The two last, he said, break all Laws and Orders, and must be supplied: But, if their Necessities came by Improvidence, then no such Cause to give. *Neutralitas nec Amicos parit nec Inimicos tollit. Commune Periculum, commune Auxilium.* No King can subsist in an honourable Estate without three Abilities. *First*, To be able to maintain himself against sudden Invasions. *Secondly*, To aid his Allies and Confederates. *Thirdly*, To reward his well-deserving Servants. But, he urged, there was a Leak in the Government, of which Leak such as these were the Causes; Frauds in the Customs; Treaty about the *Spanish Match*; new invented Offices, with large Fees; old unprofitable Offices, which the King might justly take away with Law, Love of his People, and his own Honour; the Presidentships of *York* and *Wales*; Multiplicity of Offices in one Man; every Officer to live on his own Office; the King’s Household out of Order; new Tables kept there made the Leakage the greater; voluntary Annuities, or Pensions, which ought to be stopped till the King was out of Debt, and able to pay them. In the 4th *Henry IV.* no Man was to beg of the King till he was out of Debt. *Lastly*, That all unnecessary Charges, costly Diet, Apparel, Buildings, &c. increase still the Leakage.

‘To apply some Means for Remedy; the Multiplicity of Forests and Parks, now a great Charge to the King, might be drawn into a great Benefit

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1625.

Debate on a Motion for the Supply.

An. 2. Charles I.
1625.

to him; that understanding Officers be employed in the King's House, to reduce it to its antient Form; and not with Sir *Lionel Cranfield*, to divide a Goose; and that his Shop-Boys be not taken from his Shops and placed in the Green-Cloth; that the Great Offices, for the Defence of the Kingdom, be put into the Hands of able Men that have Experience, as Admiralty's Places, &c. (k). The King's ordinary Charge in *Edward III's* Time, was borne by the King's ordinary Revenue. *Ireland*, at that Time, was also 30,000 l. a Year Benefit to the King; but now a great Charge to him. To petition the King rather for a logique than a rhetorique Hand; a strait, than an open one. Move for a Committee to put down these, and such other Heads as shall be offered.'

It may be supposed that this Speech of the old Orator's was very long, by the Heads of it above mentioned, and the Subsequence of this Day's Debates; for little is entered after it, save that the Solicitor General moved to petition the King to declare the King of *Spain* an Enemy, since it was he that had done them all the Wrong: To take Care of *Papists* at home, whose Hearts were with the *Spaniards*, and are dangerous here whilst our Navy was abroad. Two *Subsidies* and two *Fifteens*, to be paid in *October* and *April* come twelve Months. Others declared against granting *Subsidies* in Reversion; and not to graft *Subsidy* upon *Subsidy* in one Parliament. A Committee for this Matter was moved for, the Duke to be called to it, 'That he may give Satisfaction for these Aspersions that had been laid upon him.' But no Resolution was come to on this Day.

This was the first Stroke made at the Minister, to be met with in the *Journals*; but much more is in the Sequel. The next Day, *August 6*, after some Business of less Consequence was done, Sir *Henry Mildmay*

(k) These Strokes at the then Lord Treasurer and Lord Admiral, are taken from an old Manuscript of the Proceedings of this Parliament, but are omitted in the *Journals*: However, the Blow was followed closer afterwards,

Mildmay stood up and said, 'That they were called thither for two Reasons; for the Cause of Religion, and granting a Supply to his Majesty. That their Coldness in Religion was one of the principal Causes of the grievous Visitation then upon them. To add to our former Petition to his Majesty, that he will upon no Account give any Connivance to the *Papists*. That they were not absolutely bound to maintain a War, but to assist and supply the King in a War. Moved, first, to know what Money will serve for the Fleet; then to raise the Supply, if not by Subsidy, yet by some other Course; of which there are Precedents; and which, being done in Parliament, is a Parliamentary Course.' A Committee was moved for, by others, to consider of the King's Supply: And Secretary *Cook* urged, That the Commission of the Navy might be the first examined. This was followed by Mr. *Strode*; but he added, sarcastically enough, 'That all who spoke in the Committee might apply themselves to this, How two *Subsidies* and *Fifteens*, payable more than one Year hence, can supply a Navy, to go out in fourteen Days.'

Another Member, Sir *Nathaniel Rich*, said, 'That they ought not to refuse to give at all; but, first, to represent their Wants to the King, first, for Religion, to have his Majesty's Answer in full Parliament, and then enrolled; which then would be of Force with an Act of Parliament. Next, to know the Enemy against whom War was to be made. The Necessity of an advised Counsel for governing of the great Affairs of the Kingdom. The Necessity of looking into the King's Revenue. To have his Majesty's Answer concerning Impositions on Wines. And tho' the Time was not now fit for the Decision of all these Points, yet a select Committee to be appointed to set down the Heads of them, and then to have the King's Answer to them in Parliament; the doing of which, he said, was no Capitulation with his Majesty, but an ordinary Parliamentary Course, as 22. Ed. III. and that

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1625.

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An. 1. Charles 1. that without which the Common-Wealth could
1625. neither supply the King, nor subsist.*

Mr. *Rushworth* tells us (1), That the Anti-Courtiers were freer than all this with the Ministry. At this Debate, he says, they urged, 'That great Sums of Money were given for Places, to the Value of 140,000 l. at least. That the King ought to contribute to help the *Palatinate's* Cause with his own Estate. That the Time of the Year was too far spent for the Fleet to go out for Service. That Enquiry ought to be made, Whether the Duke brake not the Match with *Spain*, out of Spleen and Malice to the Conde *Olivares*? Whether he made not the Match with *France* upon harder Terms? And whether the Ships, employed against *Rochel*, were not maintained with the *Subsidies* given for the Relief of the *Palatinate*? Of all which there is not one Syllable mentioned in the *Journals*.— Though, indeed, there is sufficient Reason to believe they might have been said in this Debate, by what follows: For Mr. *Edward Clarke*, a Member, us'd an Expression in a Speech, 'That there had been Speeches there, with invective Bitterness, and very unseasonable for the Time.' On which there was a general Acclamation, *To the Bar*; and, being ordered to explain himself there, he gave still greater Offence. He was then further ordered to withdraw, whilst this Matter was debated in the House. Some argued for Expulsion; others said, though the Offence was great, yet the Punishment ought to be more moderate. At length, it was agreed, 'That he should kneel at the Bar, and the Speaker to let him know the House had taken just Offence at his Words; and therefore that he should stand committed to the Sergeant during the Pleasure of the House.' But, the next Day, upon Submission made, he was released.

A Member censured for some Reflections.

(1) *Collections*, Vol. I. p. 130.

In

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In this Debate Sir *Robert Cotton*, the learned An-
tiquary, spoke as follows (m):

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Mr. Speaker,

ALTHO' the constant Wisdom of this House of Commons did well and worthily appear, in censuring that ill-advised Member the last Day, for trenching so far into their antient Liberties; and might encourage each worthy Servant of the Public here, to offer up freely his Counsel and Opinion: Yet, since these Walls cannot conceal from the Ears of captious, guilty and revengeful Men without, the Counsel and Debates within; I will endeavour, as my clear Mind is free from any personal Distaste of any one, so to express the honest Thoughts of my Heart, and discharge the best Care of my Trust, as no Person shall justly tax my innocent and public Mind; except his Conscience shall make him guilty of such Crimes as worthily have, in Parliament, impeached others in elder Times. I will therefore, with as much Brevity as I can, set down how these Disorders have, by Degrees, sprung up in our own Memories; how the Wisdom of the best and wisest Ages did of old redress the like; and, lastly, what modest and dutiful Course I would wish to be followed by ourselves, in this so happy Spring of our hopeful Master. For, Mr. Speaker, we are not to judge, but to present: The Redress is above *ad Querimoniam Vulgi*.

Sir Robert Cotton's Speech on that Occasion.

' Now, Mr. Speaker, so long as those attended about our late Sovereign Master, now with God, as had served the late Queen of happy Memory, Debts of the Crown were not so great; Commissions and Grants not so often complained of in Parliament; Trade flourished; Pensions not so many, tho' more than in the late Queen's Time, for they exceeded not 18,000l. now near 120,000l. all Things of Moment were carried by public Debate at the Council-Table; no Honours set to Sale;

(m) Taken from his Posthumous Works, published by Mr. Howell, Anno 1651.

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1625.

Sale; nor Places of Judicature; Laws against Priests and Recusants were executed; Resort of *Papists* to Ambassadors Houses barred and punished; his Majesty, by daily Direction to all his Ministers, and, by his own Pen, declaring his Dislike of that Profession; no wasteful Expences in fruitless Ambassages, nor any transcendent Power in any one Minister. For Matters of State, the Council-Table held up the fit and antient Dignity. So long as my Lord of *Somerset* stood in State of Grace, and had, by his Majesty's Favour, the Trust of the Signet Seal, he oft would glory justly, that there passed neither to himself, or his Friends, any long Grants of his Highness's Lands or Pensions: For of that which himself had, he paid 20,000 l. towards the Marriage-Portion of the King's Daughter. His Care was to pass no Monopoly or illegal Grant; and that some Members of this House can witness by his Charge unto them. No giving way to the Sale of Honours, as a Breach upon the Nobility, (for such were his own Words) refusing Sir *John Roper's* Office, then tendered to procure him to be made a Baron. The Match with *Spain* then offered, (and with Condition to require no further Toleration in Religion than Ambassadors here are allowed) he, discovering the double Dealing and the Dangers, dissuaded his Majesty from; and left him so far in Distrust of the Faith of that King, and his great Instrument *Gondomar*, then here residing, that his Majesty did term him long Time after a *fugling Jack*. Thus stood the Effect of his Power with his Majesty when the Clouds of his Misfortune fell upon him. What the future Advices led in, we may well remember. The Marriage with *Spain* was again renewed: *Gondomar* declared an honest Man: *Popery* heartened, by employing suspected Persons for Conditions of Conveniency: The Forces of his Majesty in the *Palatinate* withdrawn, upon *Spanish* Faith improved here and believed, by which his Highness's Children have lost their Patrimony; and more Money been spent in fruitless Am-

Ambassages, than would have maintained an Army fit to have recovered that Country. Our old and fast Allies disheartened, by that tedious and dangerous Treaty: And the King our now Master exposed to so great a Peril, as no wise and faithful Council would ever have advised. Errors in Government, more in Misfortune by weak Counsels, than in Princes.'

An. 7. Charles I.
1625.

'The Loss of the County of *Poyntois* in *France*, was laid to Bishop *Wickham's* Charge in the first of *Richard II.* for persuading the King to forbear sending Aid when it was required: A Capital Crime in Parliament. The Loss of the Duchy of *Maine* was laid to *De la Pole* Duke of *Suffolk*, 28. *Henry VI.* in singly and unwisely treating of a Marriage in *France*.'

'A *Spanish* Treaty lost the *Palatinate*.—Whose Counsel hath pronounced so great Power to the *Spanish* Agent (as never before) to effect Freedom to so many Priests as have been of late; and to become a Solicitor almost in every Tribunal for the ill-affected Subjects of the State, is worth the Inquiry?'

'What Grants of Impositions, before crossed, have lately been complained of in Parliament? As that of *Ale-Houses*, *Gold-Thread*, *Pretermitted Customs*, and many more; the least of which would have, 50. *Edward III.* been adjudged in Parliament an heinous Crime, as well as those of *Lyon* and *Latymer*.'

'The Duke of *Suffolk* in the Time of *Henry VI.* in procuring such another Grant, in Derogation of the Common Law, was adjudged in Parliament.'

'The Gift of Honours, kept as the most sacred Treasure of the State, now set to Sale. Parliaments have been Suitors to the King to bestow those Graces; as in the Times of *Edward III.* *Henry IV.* and *Henry VI.* More now led in, by that Way only, than all the Merits of the best Deservers have got these last 500 Years. So tender was the Care of elder Times, that it is an Article

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An. 1. Charles I. 28. *Henry VI.* in Parliament against the Duke of *Suffolk*, that he had procured for himself, and some few others, such Titles of Honour, and those so irregular, that he was the first that ever was Earl, Marquis, and Duke of the self-same Place. *Edward I.* restrained the Number, in Policy, that would have challenged a Writ by Tenure: And how this Proportion may suit with the Profit of the State, we cannot tell. Great Deserts have now no other Recompence than costly Rewards from the King; for, we are now at a vile Price of that which was once inestimable. If worthy Persons have been advanced freely to Places of greatest Trust, I shall be glad. *Spencer* was condemned in the 14. *Edward II.* for displacing good Servants about the King, and putting in his Friends and Followers; not leaving, either in the Church or Common-Wealth, a Place to any, before a Fine was paid unto him for his Dependence. The like in part was laid by Parliament on *De la Pole*. It cannot but be a sad Hearing unto us all, what my Lord Treasurer lately told us of his Majesty's great Debts, high Engagements, and present Wants: The Noite whereof I wish may ever rest inclosed within these Walls. For, what an Encouragement it may be to our Enemies, and a Disheartning to our Friends, I cannot tell. The Danger of those, if any they have been the Cause, is great and fearful. It was no small Motive to the Parliament, in the Time of *Henry III.* to banish the King's Half-Brethren for procuring to themselves so large Proportion of Crown Lands. *Gaveston* and *Spencer* for doing the like for themselves, and their Followers, in the Time of *Edward II.* and the Lady *Vessey* for procuring the like for her Brother *Beaumont*, was banished the Court. *Michael de la Pole* was condemned 10. *Richard II.* in Parliament, amongst other Crimes, for procuring Lands and Pensions from the King, and having employed the Subsidies to other Ends than the Grant intended. His Grand-Child, *William Duke of Suffolk*, for the like was censured 28. *Henry VI.* The great Bishop

Bishop of Winchester, 50. Edward III. was put An. 1. Charles I.
1625. upon the King's Mercy by Parliament, for waisting in Time of Peace, the Revenues of the Crown, and Gifts of the People; to the yearly Oppression of the Common-Wealth. Offences of this Nature were urged, to the ruining of the last Duke of Somerset in the Time of Edward VI. More fearful Examples may be found, too frequent in Records. Such Improvidence and ill Counsel led Henry III. into so great a Strait, as after he had pawned some Part of his foreign Territories, broke up his House, and sought his Diet at Abbies and Religious Houses, engaged not only his own Jewels, but those of the Shrine of St. Edward at Westminster; he was in the end not content, but constrained to lay to pawn (as some of his Successors after did) *Magnam Coronam Angliæ*, the Crown of England. To draw you out to Life the Image of former Kings Extremities, I will tell you what I found since this Assembly at Oxford, written by a Reverend Man, twice Vice-Chancellor of this Place; his Name was Gascoign; a Man that saw the Tragedy of *De la Pole*: He tells you that the Revenues of the Crown were so rent away by ill Counsel, that the King was inforced to live *de Tallagiis Populi*: That the King was grown in Debt *quinque centena millia Librarum*: That his great Favourite, in treating of a foreign Marriage, had lost his Master a foreign Duchy: That to work his Ends, he had caused the King to adjourn the Parliament *in Villis & remotis Partibus Regni*, where few People, *propter defectum Hospitalitatis & Victualium* could attend; and by shifting that Assembly from Place to Place, to inforce (I will use the Author's own Words) *illos paucos, qui remanebant de Communitate Regni, concedere Regi quamvis pessima*. When the Parliament endeavoured by an Act of Resumption, the just and frequent Way to repair the languishing State of the Crown (for all from Henry III. but one, till the 6. Henry VIII. have used it) this great Man told the King it was *ad Dedecus Regis*, and forced him from it: To which the Commons an-

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swor'd, altho' *vexati Laboribus & Expensis*, nunquam concederent *Taxam Regi*, untill by Authority of Parliament, *resumeret actualiter omnia Pertinentia Coronæ Angliæ*: And that it was *magis ad Deducus Regis*, to leave so many poor Men in intolerable Want, to whom the King stood then indebted. Yet nought could all good Counsel work, untill by Parliament that bad great Man was banished; which was no sooner done, but an Act of Resumption followed the Inrollment of the Act of his Exilement. That was a speeding Article against the Bishop of *Winchester* and his Brother, in the Time of *Edward III.* that they had ingrossed the Person of the King from his other Lords. It was not forgotten against *Gaveston* and the *Spencers*, in the Time of *Edward II.* The unhappy Ministers of *Richard II.* *Henry VI.* and *Edward VI.* felt the Weight, to their Ruin, of the like Errors. I hope we shall not complain in Parliament again of such.'

'I am glad we have neither just Cause, or undutiful Dispositions, to appoint the King a Counsel to redress those Errors in Parliament, as those 42. *Henry III.* We do not desire, as 5. *Henry IV.* or 29. *Henry VI.* the removing from about the King any evil Counsellors. We do not request a Choice by Name, as 14. *Edward II.* 3. 5, 11. *Richard II.* 8. *Henry IV.* or 31. *Henry VI.* nor to swear them in Parliament, as 35. *Edward I.* 9. *Edward II.* or 5. *Richard II.* or to line them out their Directions of Rule, as 43. *Henry III.* and 8. *Henry VI.* or desire that which *Henry III.* did promise in his 42d Year, *se Acta omnia per Assensum Magnatum de Concilio suo electorum, & sine eorum Assensu nib'l.* We only in loyal Duty offer up our humble Desires, that since his Majesty hath, with advised Judgment, elected so wise, religious, and worthy Servants, to attend him in that high Employment; he will be pleased to advise, with them together, a Way of Remedy for those Disasters in State, brought on by long Security and happy Peace; and not be led with young and single Counsel.'

Thus ends Sir *Robert Cotton.*

We

We now return to the *Lords Journals*, for an An. 1. Charles I. 1625. Affair of no small Moment, since the Consequence of it determined the Fate of this Parliament. It is very lamely inserted in the *Journals* of the Commons, and more so in *Rushworth*; whose Mistakes and Omissions will be particularly distinguished in this Recital.

August 8. The former Authorities tell us that this Day the Lords sent a Message to the Commons, 'That they had received one from the King, which was to be delivered to the Lords and Commons together, by the Lord Keeper and the Duke of *Buckingham*; and that his Majesty had commanded the Lord Keeper to require the Lord Treasurer, the Lord *Conway*, and Sir *John Cook*, to assist his Grace therein. Upon which Account, the Lords required a present Meeting with their whole House, in the great Hall of *Christ-Church*, if it suited their Conveniency.'

A grand Conference relating to Religion.

The Answer returned was, 'That the Commons would meet, at the Time and Place appointed, with their Speaker and the whole House. And, as Intimation was given, that there might be Occasion for a worthy Member of their House, in delivering the Message from his Majesty; though it was against the very fundamental Privileges of the House of Commons, yet they gave way to it, with this Proviso; *That he speak, as the King's Servant and Commissioner, and not as a Member of their House.*'

At the same Time, the Commons ordered, within themselves, That, as the Speaker and the whole House went up, if the Lords kept bare, to do the same; if they covered, then the Speaker and the rest to cover also.

August 9. The Report of this grand Conference between the two Houses was made in the House of Lords, by [Dr. *Abbot*] Archbishop of *Canterbury*: And first, on what had been offered by the Commons concerning Religion.

'That they presented a Petition, directed Majesty, desiring this House to join with

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The Commons
complain of a
Pardon granted
to a Jesuit, &c.

therein; the Effect whereof was, That whereas the Lords and Commons did, at their last Meeting, present a Petition to his Majesty, for Advancement of God's true Religion and suppressing the contrary; unto which his Majesty vouchsafed, as well by his own Mouth, as by the Lord Keeper's, on the 11th of *July* last, to return such an Answer as gave them Assurance of his Royal Performance thereof; yet, at this Meeting, they find that, on the 12th of *July* last, his Majesty granted a Pardon unto *Alexander Baker*, a *Jesuit*, and ten other *Papists*; which, as they are informed, was upon the Importunity of some foreign Ambassador; and that it passed by immediate Warrant, and was recommended by the principal Secretary of State, without paying the ordinary Fees.

Also, That divers Copes, Altars, Chalices, &c. (n) being found in the House of one *Mary Estmond*, in *Dorsetshire*, by two Justices of Peace; they thereupon tendered her the Oath of Allegiance; which, she refusing, they committed her to the Constable, from whom she made her Escape and complained to the King. That the said Secretary of State did write unto these Justices in her Favour; all which they humbly desired his Majesty to take into Consideration, and to give a due, effectual, and speedy Redress therein.

After which the said Petition, Pardon, and Letter were read; and then the Archbishop proceeded with the Report, 'That the Commons insisted much upon three Points: *First*, The Date of the Pardon, being the next Day after the King's Answer delivered to both Houses, by the King's Command. *Secondly*, That the Pardon dispenseth with these Laws, *viz.* with the Statutes of the 23d and 27th *Eliz.* and the 3d *Jac.* provided to keep his Majesty's Subjects in due Obedience; and with the Statute the 10th of *Edward III.* which directeth, That every Felon, upon Pardon obtained, should be bound to good Behaviour. *Thirdly*, That it

was

(n) These are called in *Rushworth*, by great Mistake, *several Copies of Letters and other Papers.*

was solicited by the principal Secretary, the Lord *Conway*; and to this they added these Circumstances.’ An. 7. Charles I.
1629.

‘ That this *Jesuit*, being formerly imprisoned and now set at Liberty, his Conversation might be dangerous in perverting many of the King’s Subjects. That, heretofore, in the Time of Queen *Elizabeth*, if any were convicted and pardoned, (for she pardoned none before Conviction that their Faults might be first known) they were, also, banished, not to return upon Pain of Death, which is prevented by this Pardon. They concluded, That both this Pardon and Letter were procured by the Importunity of some foreign Embassadors; which was of dangerous Consequence, to give the Subjects here any Dependency upon them.’

The Archbishop having ended, the Lord *Conway* stood up and affirmed, ‘ That tho’ the Pardon was dated the next Day after the King’s Promise to the Parliament, yet it was no Breach thereof. For it was granted long before; and his Lordship shewed, That, at *Christmas* last, his late Majesty promised to the Marquis *de Villa Clara*, the *French* Embassador, certain Graces and Privileges to the *Papists*; that the Marquis *D’Effiat* did, afterwards, obtain the like, to the End that the Queen might come the more easy hither; and the Duke *de Chevereux* his Majesty’s Kinsman, who brought the Queen over, had importuned him that he might also carry Home the like Graces.’

‘ That the Pardon passed by immediate Warrant, to take off the continual Importunity of the Embassadors to the King; and he, being Secretary of State, solicited it himself; but it was at his Majesty’s Command, to take off all Imputation from himself; and not out of any Affection of his to that Religion which he ever hated.’

‘ As touching the Non-payment of the Fees, his Lordship said, That Mr. *Benbowe* demanded 50 l. for them; and the Embassador complaining thereof

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to the King, he commanded him to see that no Fees should be taken.'

'That the Duke *de Chevereux* importuned the King to write that Letter, himself, in Favour of Mrs. *Esmond*; and he, as Secretary, was forced and commanded to do it, rather than that his Majesty should. The said Duke complained much of the Justices hard Carriage unto her, but he never heard any thing of her obstinate Behaviour to them; nor of any Copes, nor Altars, found in her House; wherefore he wrote, also, to be advertised of her Offence by them, but was not answered till within these few Days.'

'His Lordship protested his Sincerity to the true Religion, here established; whereof he had formerly given good Testimony, and in which he would persevere. And what he did, in these Matters, was only to take away all Scandal from the King, though it lighted upon himself; and that he did nothing but what he was first, expressly, commanded to do by the King.'

The Lord Keeper affirmed, 'That he received the said Pardon, long before the Date thereof; and if he had made a *Recipe* upon the Warrant, as is usual in other Cases, it had born Date with that tho' sealed afterwards. But, that his Lordship deferred the Sealing thereof, in Hopes that the Embassadors would have been gone first, as they were often for going. But, they staying and daily urging the King for the Pardon, he, being again commanded, sealed it at the next general Seal; and so it had Date with the Time of the Seal and not of the Grant. His Lordship, well hoping, upon the Departure of the Embassadors, to have stopped it with his Majesty, otherwise it had been sealed before the King's Promise to the Parliament; and therefore this can be no Breach of the King's Promise.' His Lordship also said, 'That the Embassador urged his Majesty very much, to give a general Dispensation to the *Papists*; but the King was advised rather to pardon some few of them what was past. Which Counsel, though to be commended,

mended, yet none gave way to it, but much against their Wills; and his Lordship wished that a Petition might be presented to the King, to stay the like Pardons hereafter.

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Next follows in the *Journals*, a Copy of a Petition to the King, from the Lords and Commons, repeating the aforesaid Evidences; and that as the Letter and Pardon were drawn from him by the Importunity of foreign Embassadors; a Course, of late, too frequently practised by his ill-affected Subjects, it was of dangerous Consequence, inducing to a Dependency upon foreign Princes, &c. But as the whole of this would be a Repetition of what is gone before, and besides, as it was never presented, it may well be omitted.

This previous Affair on Religion being settled, which we find the Commons insisted on before they would hear the King's Message; the Lord Keeper, on the same Day, next proceeded to give the rest of the Report on what passed in the Conference, along with the King's Message and the Consequence of it.

His Lordship began with telling the House, 'That his Majesty had graciously, fully, and in a Parliamentary Manner, answered the Petition concerning Religion, delivered him by both Houses, at *Hampton-Court*, the 7th Day of *July* last; and had commanded his Lordship to signify to the Lords and Commons, that he had also given Command to the Lord Admiral to deliver his said Answers thereunto, to both Houses; to be by them disposed, as the Answers of Kings unto Petitions, of that kind, exhibited, are wont to be. And withall to deliver a Message from his Majesty, concerning the great Affairs of his, now in Agitation in the House of Commons.'

That then the Lord Admiral said, 'His Majesty had laid upon him such a Charge; as, when he did consider his own Weakness, it might utterly discourage him; were it not that reflecting again upon that Plainness and Sincerity, wherein a King should deal with his People, he found himself the
fitter

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fitter for the Employment; in that he was sure he should deliver it without Rhetorick or Art. As concerning the Petition, he could dispatch that in two Words; that is, by giving a full Assurance that all was granted which was desired; but held it fitter, for more Satisfaction, to read the Petition with the Answers annexed; and they were read accordingly, by Mr. Attorney *in hæc Verba*:

To the KING's Most Excellent Majesty.

Most Gracious Sovereign,

The Petition of
both Houses for
Execution of the
Laws against Po-
pery, and for ad-
vancing true Re-
ligion.

‘ **I**T being infallibly true, That nothing can more establish the Throne, and assure the Peace and Prosperity of the People, than the Unity and Sincerity of Religion: We your most humble and loyal Subjects, the Lords Spiritual and Temporal, and Commons of this present Parliament assembled, hold ourselves bound in Conscience and Duty to represent the same to your sacred Majesty, together with the dangerous Consequences of the Increase of *Popery* in this Land, and what we conceive to be the principal Causes thereof, and what may be the Remedies.

The Dangers appear in these Particulars.

‘ I. In their desperate Ends, being both the Subversion of the Church and State; and the Restlessness of their Spirits to attain these Ends, the Doctrine of their Teachers and Leaders, persuading them, that therein they do God good Service.

‘ II. Their evident and strict Dependency upon such foreign Princes, as no way affect the Good of your Majesty and this State.

‘ III. The opening a way of Popularity to the Ambition of any, who shall adventure to make himself Head of so great a Party.

The principal Cause of the Increase of Papists.

‘ I. The Want of the due Execution of the Laws against *Jesuits*, Seminary Priests, and
‘ *Papists*

- ‘ *Papish* Recufants; occasioned partly by the Con- An. 7. Charles I.
 ‘ nivity of the State, partly by Defects in the 1625.
 ‘ Laws themselves, and partly by the manifold
 ‘ Abuse of Officers.
 ‘ II. The interposing of foreign Princes by their
 ‘ Ambassadors and Agents in Favour of them.
 ‘ III. Their great Concourse to the City, and
 ‘ frequent Conferences and Conventicles there.
 ‘ IV. The open and usual Resort to the Houses
 ‘ and Chappels of foreign Ambassadors.’
 ‘ V. The Education of their Children in Semi-
 ‘ naries and Houses of their Religion in foreign
 ‘ Parts, which of late have been greatly multipli-
 ‘ ed and enlarged for the entertaining of the
 ‘ *English*.
 ‘ VI. That in some Places of your Realm, your
 ‘ People be not sufficiently instructed in the Know-
 ‘ ledge of true Religion.
 ‘ VII. The licentious printing and disperſing of
 ‘ *Papish* and ſeditious Books.
 ‘ VIII. The Employment of Men ill-affected
 ‘ in Religion in Places of Government, who do,
 ‘ ſhall, or may countenance the *Papish* Party.

*The Remedies againſt this outrageous and dangerous
 Diſeaſe, we conceive to be theſe enſuing.*

- ‘ I. That the Youth of this Realm be carefully
 ‘ educated by able and religious Schoolmaſters, and
 ‘ they to be enjoined to catechize and inſtruct
 ‘ their Scholars in the Grounds and Principles of
 ‘ true Religion. And whereas, by many Com-
 ‘ plaints from divers Parts of the Kingdom, it doth
 ‘ plainly appear, That ſundry *Papish* Scholars, diſ-
 ‘ ſembling their Religion, have craftily crept in,
 ‘ and obtained the Places of Teaching in divers
 ‘ Counties, and thereby infected and perverted their
 ‘ Scholars, and ſo fitted them to be transported to
 ‘ the *Papish* Seminaries beyond the Seas; that there-
 ‘ fore there be great Care in the Choice and Admiſ-
 ‘ ſion of Schoolmaſters, and that the Ordinaries make
 ‘ diligent Enquiries of their Demeanors, and pro-
 ‘ ceed

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' or justly suspected.

HIS MAJESTY'S ANSWER.

And the King's Answers. *This is well allowed of, and for the better Performance of what is desired, Letters shall be written to the two Archbishops, and, from them, Letters to go to all the Ordinaries of their several Provinces to see this done; the several Ordinaries to give Account of their Doings herein to the Archbishops respectively, and they to give Account to his Majesty of their Proceedings herein.*

II. 'That the antient Discipline of the Universities be restored, being the famous Nurseries of Literature and Virtue.'

Answer. *This is approved by his Majesty, and the Chancellor of each University shall be required to cause due Execution of it.*

III. 'That special Care be taken to enlarge the Word of God throughout all the Parts of your Majesty's Dominions, as being the most powerful Means for planting of true Religion, and rooting out of the contrary: To which End, among other Things, let it please your Majesty to advise your Bishops, by fatherly Intreaty and tender Usage, to reduce to the peaceable and orderly Service of the Church, such able Ministers as have been formerly silenced, that there may be a profitable Use of their Ministry in these needful and dangerous Times: And that *Nonresidency*, *Pluralities*, and *Commendams*, may be moderated. Where we cannot forbear most humbly to thank your Majesty, for diminishing the Number of your own Chaplains,; not doubting of the like princely Care for the well-bestowing of the rest of your Benefices, both to the Comfort of the People, and the Encouragement of the Universities, being full of grave and able Ministers unfurnished with Livings.'

Answer. *This his Majesty likes well, so it be applied to such Ministers as are peaceable, orderly, and conformable to the Church Government. For Pluralities*

lities and Nonresidencies, they are now so moderated, An. 1. Charles I.
1625.
that the Archbishops affirm, there be now no Dispensations for Pluralities granted; nor no Man is allowed above two Benefices, and those not above thirty Miles distant: And for avoiding Nonresidence, the Canon, in that Case provided, shall be duly put in Execution. For Commendams, they shall be sparingly granted, only in such Case where the Exility and Smallness of the Bishoprick requireth. Also his Majesty will cause that the Benefices belonging to him shall be well bestowed. And, for the better propagating of Religion, his Majesty recommendeth to the Houses of Parliament, that Care may be taken, and Provision made, that every Parish shall allow a competent Maintenance for an able Minister; and that the Owners of Parsonages impropriate would allow to the Vicars, Curates, and Ministers, in Villages and Places belonging to their Parsonage, sufficient Stipend and Allowance for preaching Ministers.

IV. ' That there may be strict Provision against transporting of *English* Children to the Seminaries beyond the Seas, and for the recalling of them who are already there placed; and for the Punishment of such your Subjects, as are Maintainers of those Seminaries or of the Scholars; considering that, besides the seducing of your People, great Sums of Money are yearly expended upon them, to the impoverishing of this Kingdom.'

Ans. *The Law in this Case shall be put in Execution. And further, there shall be Letters written to the Lord Treasurer, and also to the Lord Admiral, That all the Ports of this Realm, and the Creeks and Members thereof, be strictly kept, and strait Searches made to this End. A Proclamation shall be to recall both the Children of Noblemen and the Children of any other Men; and they to return by a Day: Also Maintainers of Seminaries of Scholars there, shall be punished according to Law.*

V. ' That no *Popish* Recusant be permitted to come within the Court, unless your Majesty be pleased to call him upon special Occasion, agreeable to the Statute of 3. Jac. And whereas your

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‘ your Majesty, for the preventing of apparent
‘ Mischiefs, both to your Majesty and the State,
‘ hath, in your princely Wisdom, taken Order,
‘ that none of your natural-born Subjects, not pro-
‘ fessing the true Religion by Law established,
‘ be admitted into the Service of your Royal
‘ Consort the Queen, we give your Majesty most
‘ humble Thanks, and desire that your Order
‘ herein may be observed.’

*Ans. If his Majesty shall find, or be informed
of any Concourse of Recusants to the Court, the Law
shall be strictly followed. And his Majesty is pleased,
that, by Proclamation, the British and Irish Subjects
shall be put in the same Case. And as his Majesty
hath provided in his Treaty with France, so his Pur-
pose is to keep it, That none of his Subjects shall be
admitted into his Service, or into the Service of his
Royal Consort the Queen, that are Popish Recusants.*

VI. ‘ That all the Laws now standing in force
‘ against Jesuits, Seminary Priests, and others ha-
‘ ving taken Orders by Authority derived from
‘ the See of Rome, be put in due Execution. And
‘ to the Intent they may not pretend to be surpriz-
‘ ed, that a speedy and certain Day be prefix’d
‘ by your Majesty’s Proclamation for their Depar-
‘ ture out of this Realm, and all other your Domi-
‘ nions, and not to return upon the severest Penal-
‘ ties of the Law now in force against them : And
‘ that all your Majesty’s Subjects may be thereby
‘ admonished not to receive, comfort, entertain,
‘ or conceal any of them, upon the Penalties
‘ which may be lawfully inflicted : And that all
‘ such *Papists, Jesuits, and Recusants*, who are
‘ and shall be imprisoned for *Recusancy*, or any
‘ other Cause, may be so strictly restrained, as that
‘ none should have Conference with them, thereby
‘ to avoid the Contagion of their corrupt Religion :
‘ And that no Man, that shall be suspected of *Pope-
ry*, be suffered to be a Keeper of any of his
‘ Majesty’s Prisons.’

*Ans. The Law in this Case shall be put in Exe-
cution, and a Proclamation shall be to the Effect de-
sired ;*

fired; and such Restraint shall be made, as is desired; and no Man, that is justly suspected of Popery, shall be suffered to be a Keeper of any of his Majesty's Prisons. An. 1. Charles I. 1625.

VII. 'That your Majesty be pleased to take such Order, as to your princely Wisdom shall be expedient, That no natural-born Subject, or strange Bishops, nor any other by Authority from the See of Rome, confer any Ecclesiastical Orders, or exercise any Ecclesiastical Function whatsoever, toward or upon your Majesty's natural-born Subjects within your Dominions.'

Ans. *This is fit to be ordered according as is provided; and it shall be so published by Proclamation.*

VIII. 'That your Majesty's learned Counsel may receive Order and Commandment to consider of all former Grants of Recusants Lands, that such of them may be avoided as are made to the Recusants Use or Interest, or out of which the Recusant receiveth any Benefit, which are either void, or voidable by the Law.'

Ans. *The King will give Order to his learned Counsel to consider of the Grants; and will do according as is desired.*

IX. 'That your Majesty will be likewise pleased strictly to command all your Judges and Ministers of Justice, Ecclesiastical and Temporal, to see the Laws of this Realm against *Popish Recusants*, to be duly executed: And namely, that the Censure of Excommunication be declared and certified against them; and that they be not absolved but upon public Satisfaction, by yielding to Conformity.'

Ans. *His Majesty leaves the Laws to their Course, and will order in the Point of Excommunication as is desired.*

X. 'That your Majesty will be pleased to remove from Places of Authority and Government, all such Persons as are either *Popish Recusants*, or, according to Direction of former Acts of State, to be justly suspected.'

Ans.

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Ans. ' *This his Majesty thinks fit, and will give order for it.*

XI. ' That present Order be taken for disarming
' all *Popish Recusants*, legally convicted, or justly
' suspected, according to the Laws in that Behalf,
' and the Orders taken by his late Majesty's Privy
' Council upon Reasons of State.'

Ans. *The Laws and Acts in this Case shall be followed, and put in due Execution.*

XII. ' That your Majesty be also pleased, in re-
' spect of the great Resort of *Recusants* to and about
' London, to command forthwith, upon Pain of
' your Indignation, and severe Execution of the
' Laws, that they retire themselves to their several
' Countries, there to remain confined within five
' Miles of their Places.'

Ans. *For this the Laws in force shall be forth-
with executed.*

XIII. ' And whereas your Majesty hath strictly
' commanded and taken Order, that none of your
' natural-born Subjects repair to the hearing of
' Masses, or other superstitious Service at the Cha-
' pels or Houses of foreign Ambassadors, or in any
' other Places whatsoever; we give your Majesty
' most humble Thanks, and desire that your Order
' and Commandment therein may be continued
' and observed, and that the Offenders herein may
' be punished according to the Laws.'

Ans. *The King gives Assent thereto, and will
see that observed which herein hath been commanded by
him.*

XIV. ' That all such Insolencies, as any that are
' *popishly* affected have lately committed, or shall
' hereafter commit to the Dishonour of our Reli-
' gion, or to the Wrong of the true Professors
' thereof, be exemplarily punished.'

Ans. *This shall be done as is desired.*

XV. ' That the Statute of 1. *Eliz.* for the Pay-
' ment of Twelve-pence every Sunday, by such as
' shall be absent from divine Service in the Church,
' without a lawful Excuse, may be put in due Exe-
' cution, the rather, for that the Penalty, by Law,
' is

is given to the Poor, and therefore not to be dispensed withall. An. r. Charles I.
1625.

Ans^r. *It is fit that this Statute be executed, and the Penalties shall not be dispensed withall.*

XVI. ‘*Lastly, That your Majesty would be pleased to extend your princely Care also over the Kingdom of Ireland, that the like Courses may be there taken for the restoring and establishing of true Religion.*’

Ans^r. *His Majesty’s Cares are, and shall be extended over the Kingdom of Ireland; and he will do all that a religious King should do for the restoring and establishing of true Religion there.*

‘And thus, most gracious Sovereign, according to our Duty and Zeal to God and Religion, to your Majesty and your Safety, to the Church and Common-Wealth, and their Peace and Prosperity, we have made a faithful Declaration of the present Estate, the Causes and Remedies of this increasing Disease of *Popery*, humbly offering the same to your princely Care and Wisdom. The Answer of your Majesty’s Father, our late Sovereign, of famous Memory, upon the like Petition, did give us great Comfort of Reformation; but your Majesty’s most gracious Promises made in that Kind, do give us Confidence and Assurance of the continual Performance thereof; in which Comfort and Confidence reposing ourselves, we most humbly pray for your Majesty’s long Continuance in all princely Felicity.’

The Petition and Answers being read, the Lord Admiral said, ‘That as his Majesty took well their putting him in Mind of his Care for Religion; so he would have done and granted the same Things, tho’ they had never petitioned him. Neither did he place this Petition, in this Order, as a Wheel to draw on other Affairs and Designs; but leaves them to move in their own Spheres, as being of sufficient Poise and Weight within themselves. What was done in this Petition, came from these two Fountains, Conscience and Duty to his Father;

The Duke of Buckingham gives the King’s Reasons for approving of the said Petition.

An. 1. Charles I. who, in his last Speech, recommended unto him
1625. *the Person, but not the Religion of his Queen.*

Then his Grace signified, ' That, by the King's Commands, he was to give, to both Houses, an Account of the Fleet, and all the Preparations thereof; which he did in this Manner:

His Account of
the Preparations
for the Fleet,
and the State of
Affairs in Chri-
stendom.

' That the first and last Time he had the Honour to speak in this Auditory, it was on the same Business; and then he was so happy as to be honoured and applauded by both Houses: And he made no Question but, speaking with the same Heart, and on the same Business, he should be so now: For, if they looked upon the Change of Affairs in *Christendom*, they could not think it less than a Miracle. Then the King of *Spain* was sought and courted by all the World; he was become Master of the *Valtoline*; had broke all *Germany* in Pieces, and was possessed of the *Palatinate*. The Princes of *Germany* were weak, and not able to resist; and, by reason of his Master's Neutrality, caused by a Treaty, he kept all other Kings and Princes in Awe. Now, on the contrary, the *Valtoline* is at Liberty; the War is proclaim'd beyond the *Alps*; the King of *Denmark* is in Arms, with 17,000 Foot and 6000 Horse, besides Commissions to make them up 30,000; the King of *Sweden* is also interested; the Princes of the *Union* are revived; the King of *France* is engaged against *Spain*, and, for that Purpose, having made Peace with his own Subjects, hath joined and confederated himself with *Savoy* and *Venice*. Why should not he, therefore, hope for the same Success; considering that, since the Time of his last Speech to both Houses, there was not one Action, or a Thought of his, that levelled at any other than one and the same Object, which was to please their Desires? If he should credit all Rumours, which he would not do, he should speak with some Confusion of Fear to hold the same Place he formerly did in their Affections: But, having still the same virtuous Ambition, and considering his own Heart to the King and State, he could find

find no Cause of Alteration, but was all Courage and Confidence.' An. 1. Charles I.
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Here the Duke made a Request to the House of Commons, ' That if any Man had spoken or should speak any Thing, in Discharge of his Conscience, Zeal of Reformation, or Love to his Country, which may seem to reflect upon some particular Persons, he may be the last that shall apply it to himself: Because he is confidently assured of two Things; *first*, That they are so just as not to fall upon him without Cause, who was so lately approved by them. And, *secondly*, That himself shall deserve nothing that shall misbecome a faithful *Englishman*.'

This Preamble to the Duke's ensuing Speech is almost wholly omitted in *Rushworth*; but for what Reason we know not, since we have not yet met with a more pathetical one thro' the whole Course of these Enquiries. Herein is included a most succinct Account of the then present State of the *Christian World*; which evidently shews that the Duke of *Buckingham*, whatever he was as a Minister, was both a very great Politician, and an excellent Orator.

The Lord Keeper next proceeded to give the remaining Part of his Report, which was the Sequel of the Duke's Speech. He said his Grace chose rather to proceed in it by way of Question and Answer, than in one continued Speech, as being the speedier Way and Means to yield Satisfaction to the Commons. He would take his Rise, he said, from the Breach of the Treaties and Alliance, and put some Questions to himself, yet none but such as should be material to the Business in Hand. That his Grace did move twelve, which the Lord Keeper said he would enlarge, for Clearness and Perspicuity's Sake, into fourteen Questions. The first was,

Quest. 1. *By what Counsels the Designs and Actions of War were carried on and enterprized?* And the Conduct
of the War.

Answer. ' By the Advice of Parliament: And this his Grace proved by the Act of both the

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1625.

Houses, *March* 24, 1623, which was read; and then his Grace proceeded and said, Here you see, my Lords and Gentlemen, that his Majesty, moved by this Council, applied himself accordingly for the Defence of the Realm, the securing of *Ireland*, the assisting our Neighbours, the States of the *United Provinces*, and other our Friends and Allies.

‘ And for the setting forth of the Navy Royal, the King, looking into his Purse, saw enough to do all the former Actions, but not the latter: For when he came to consider the Navy, there was neither Money nor Preparations; yet, looking upon the Affairs of *Christendom*, he found this the most necessary. Hereupon his Majesty, of famous Memory, did his Grace that Honour as to write to him from *Newmarket to London*, a Letter to this Effect, ‘ That, observing foreign Affairs, he found it necessary that a Royal Fleet should be prepared, and ‘ put in Readiness; but that he had no Money: ‘ Wherefore his Lordship and his Friends must lay ‘ out, and, no doubt, others would follow. And, ‘ by this Means, the King might the longer lie ‘ concealed and undiscovered in the Enterprize, as ‘ bearing the Name of the Subjects only; and other ‘ Princes, in hopes to draw him on, would sooner ‘ come to the Business.’

‘ That, upon this Letter, his Grace leap’d into the Action with all Alacrity; and, having received all he had from his Majesty, was desirous, and held it a Happiness, to pour it out again upon his Service and Occasions. But this he did not on his own Head, but fortified by the Advice and Counsels of these worthy Persons, the Lord *Conway*, the Lord *Chichester*, Lord *Grandison*, Lord *Carey*, Lord *Brook*, Lord *Ley*, Sir *Robert Mansell*, and Sir *John Cook*.’

‘ Their first Consultation was of a War, the next of the Means; but both the one and the other was justified by more than himself. He never did any Thing but by them, nothing was ever resolved or altered but in their Company; for either he repaired to them, or else they did him that Honour,

nour, as his Grace term'd it, to resort to his Chamber. And, when all was digested and prepared, and that they came to proportion Time and Levies, then, with the King's Leave, the Business was imparted to all the Lords of the Council; the Account was made to them, and allowed by them; who said there openly, his Majesty being present, That if this was put in Execution, it would do well; and gave some Attributes to it.

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Here Sir *John Cook* justified the shewing and approving of their Accounts, at the Council Table; that those Accounts consisted of long Particulars for Soldiers to be levied, Mariners to be pressed, Forwardness of the Ships and Provisions, and that nothing was wanted but Money; and that he had all those Particulars ready to be shewn to the House of Commons, if they should require them.

His Grace then proceeded and shewed, 'That he was so religious to guide these great Affairs by Counsel, that, at his Journey into *France*, which fell out about this Time, he desired his Majesty to recommend the Business to a select Committee of the Council; which his Majesty did to the Lord Treasurer, the Lord Chamberlain, the Lords *Conway* and *Brook*, who, in his Absence, took Care of the same. This his Grace thought fit to tell their Lordships, that they may see by what Counsel this great Business was carried; and that, in all the Management thereof, he took no Steps but by their Approbation.'

Quest. 2. *Why did not his Majesty declare the Enemy presently, upon the granting of the two Subsidies?*

Answer. 'His Majesty considered the State of *Christendom* at that Season, and found it full of Danger to declare the Enemy, for three Reasons: *First*, Because that great Enemy would be more prepared. *Secondly*, *Spain*, being the Enemy, our Merchants would be embargoed, who are now drawn home. *Thirdly*, Our Friends, finding us so long unprepared, after our Declaration, had de-

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An. 1. Charles I. *spaired, and never believed any Thing of our Intentions.*
1625.

Quest. 3. Whether this vast Sum of 300,000 l. bestowed upon the Navy, together with 40,000 l. more to be now employed, and 60,000 l. at the Return, be so frugally husbanded as was fit?

Answer. 'That his Grace refers to Sir *John Cook's* Accounts, which the House of Commons may peruse; and when Sir *John* has done, the particular Officers should be ready to justify it with their Accounts.'

Here Sir *John Cook* interposed, tho' he had already shewed this Account, and said, 'That the Duke had laid out of his own Money 44,000 l. and the Treasurer of the Navy, at his Request, above 50,000 l.' To this his Grace added, 'That all this borrowed Money was managed, by the proper Officers, as if it had issued out of the Exchequer, and had not been borrowed elsewhere.'

Quest. 4. Whether a considerable Sum of Money be yet required?

Answer. Forty thousand Pounds is yet necessary; but that our Master was quite exhausted; his Treasure anticipated, his Lands engaged, his Plate offered to be pawn'd, but not accepted; and yet his Majesty must be maintained.'

Quest. 5. Whether this Fleet was ever intended to go out or not?

Answer. 'There has been some flying Rumour to that Effect. But what Policy was it in the King, with the Charge of 400,000 l. only to amaze the World, cozen his People, and put you to such a Hazard? What should he get by an Act that should make him blush when he met his Parliament again? Certainly the King would never employ such a Sum, but when the Affairs of *Christianity* made it necessary to do it; and it was done with an Intention to set it out with all the Speed possible.'

Quest. 6. Why was not this Want of Money foreseen in the first Project of the whole Service; but
now

now only thought upon unexpectedly, and dangerously, An. 1. Charles I. 1625, considering the Sickness: Why not before the last Adjournment, whereby we are called upon at so unseasonable a Time?

Answer. 'It was foreseen before, but interrupted by unfortunate Accidents. First, The Death of the late King. Secondly, The Funeral; which, for Decency's Sake, could follow no sooner. Thirdly, The Journey into France, and the Marriage; which procured more Delays than were expected, but were necessary.'

'Since the Opening of this Parliament, his Majesty declared his Necessity; and told you plainly, That this Sitting must not be for Counsel, but Resolution. And when he received the Grant of the two Subsidies, he understood that Money to be but a Matter of Custom, to welcome him to the Crown; and intended, when they were presented to him, to dilate more at large, as afterwards he did by Sir John Cook.'

Quest. 7. Who gave the Counsel to meet so suddenly, when the Sickness was so dangerously spread?

Answer. 'His Majesty commanded him to say, That it was the Business itself that gave the Counsel, with the Necessity of it, else the King would not have hazarded the two Houses, and the rest of the Kingdom, by its spreading. If he had been able any way, without your Help, to have set out the Navy, he would have done it, and relied upon you for a Supply afterwards.'

'If it be a Fault, as I see none, said the Duke, why should the Realm and the Occasions of the State of Christendom suffer for it? If it be undertaken for your Good and the King's Honour, now in building, as also for the State of Christendom, why should a particular mean Fault make it miscarry? I hope your Wisdom will so pierce thro' it, as to set the Affair forward.'

Quest. 8. Why should not the King help on this Occasion with his own Estate?

Answer. 'Judge you whether he doth not; for, observing the great Gift you gave the Session before last,

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last, he was unwilling to take any more from you, and laid out all his Estate upon the Enterprize; and will do so again when he shall be enabled.'

Quest. 9. *Is not the Time of the Year too far spent for the Navy to go forth?*

Answer. 'The King answered this the last Day; *Better half the Navy should perish, than the Going forth thereof should be stopped.* It would shew such Want of Counsel and Experience in the Design; such Want of Courage, Weakness and Beggarliness, in not being able to go thro' with it. And, for the Time, there were only three Ends proposed by this Service, and the Time of the Year is yet seasonable for any of them. He could demonstrate the same, if the Design was to be published; which your Wisdom would not think fit to have done.'—Here the Duke said he would satisfy the Houses in some other Things.

Quest. 10. *Whether these eight Ships, lent the French King, to be employed against the Rochellers, were not paid with the Subsidy Money?*

Answer. 'These eight Ships were, *first*, employed at the Charge of the French King. *Secondly*, It is not always fit for Kings to give Account of their Counsels. Judge the Thing by the Event.'

Quest. 11. *Whether, having been employed to break with Spain, the Duke made not a worse Match with France, and upon harsher Conditions?*

Answer. 'He hoped the contrary would appear by the King's Answer to their Petition; and he assured them his Majesty had broken no Public Faith in giving the said Answers.'

Quest. 12. *Did not the Duke serve us in breaking the Peace with Spain, out of particular Spleen and Malice to Count Olivares?*

Answer. 'There was no Cause for him to hate Olivares, he was the Means to make his Grace happy; for, out of his Hands, his Grace gained the Love of a Nation, which before thought not so well of him. He is not vindictive in his Temper; he can forgive those who had no such natural Respect to that Country as Olivares had. Neither doth

doth his Grace love that any Man should be an Instrument, by ill Means, to do a good Action; as *Olivares* intended to do, to serve his Master and Kingdom, by indirect Means. And he can further prove that he is not vindictive, for he could forgive one of our own Nation who concurred with *Olivares*. But he thought proper to let that Business sleep; which, if it should awake, would prove a Lion to devour him who was the Author of it; meaning one of our own Nation who co-operated with *Olivares* (o).

Quest. 13. *Will it not be objected, That hitherto the Duke speaks of nothing but immense Charges, which the Kingdom is not able to bear; as, to the King of Denmark, 30,000 l. a Month; to Count Mansfield, 20,000 l. to the Low Countries, 8000 l. to Ireland, 2600 l. a Month; besides the backing of the Fleet with a Supply, for which twelve of his Majesty's Ships are now in preparing?*

Answer. 'Make the King chief of the War, by a Diverſion of this Kind, and he will give a greater Advantage to all his Allies, than by allowing 50,000 l. nay 100,000 l. a Month. What is it for his Allies to scratch with the King of Spain; to win a Town To-day, and to lose it To-morrow? It is almost impossible to hope for a Conquest of this Kind, the *Spanish* King being so able by Land: But let the King, our Sovereign, be Master of the Wars elsewhere, and make a Diverſion; and let the Enemy be compelled to spend his Money and Men in other Places, and our Allies, in these Parts, will be suddenly and imperceivably strengthened and enabled; and, by this Kind of War, (which is certainly meant a Naval one) you send no Coin out of the Land; you send nothing but Beef, Mutton (p), and Powder; by which the Kingdom is not impoverished, but may make good Returns.'

Quest. 14. *But where is the Enemy?*

An-

(o) The Earl of Bristol.

(p) The Journals and *Rusſeworth* say Mutton; but it should seem rather to be Pork.

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Answer. 'Make the Fleet ready to go out, and the King had given him Command to bid you name the Enemy yourselves. Put the Sword into his Majesty's Hands, and he will employ it to your Honour, and the Good of true Religion. As you issue nothing that is lost, so it will bring home somewhat again; and from henceforth maintain the War by the Perquisites thereof. Make but once an Entrance, it may afterwards be maintain'd with Profit. When the Enemy is declared, you may have Letters of Marque; none shall be denied. And I have not been so idle, says his Grace, but I shall make Propositions for venturing; whither yourselves may go, and may have the Honey of the Business.'

Lastly, The Duke told us, 'That the King commanded him to admonish the Assembly to take Care of the Season and their own Health; for, if they lost Time, no Money could purchase it again. His Grace concluded with this Apology: If, in this Relation, thro' my Weakness, I have injured the King's Affairs and those of the State of *Christianity*, I crave your Pardon: My Intentions were good.'

It has been thought proper to transcribe the whole of this long Report from the *Journals* of the *Lords*, since it is very incorrectly given in *Rushworth*; and many Omissions made, not quite consistent with the Credit or Character of an exact Collector, as any Reader may find who will take the Trouble to compare both. We next proceed to give the rest of the Lord Keeper's Report, concerning what the Lord High Treasurer said at the Conference, relating to the King's Estate.

The Lord Treasurer's Account of the King's Estate.

'The Treasurer produced a Paper, wherein he had set the same down, according as his Memory and the Time would permit him on the sudden. And he divided the same into three Parts: 1. The Estate the late King left. 2. The Estate the King now stands

stands in. 3. How it will be in the future. And the first of these he again divided into other three Parts; the late King's Debts; Anticipations; and Engagements.

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1. 'His Debts were to the City of *London*, and some Gentlemen, borrowed upon the Privy Seal and Lords Bonds, 120,000 l. besides growing Interest. The Wardrobe 40,000 l. at the least, Part whereof is due to poor People. To the King of *Denmark*, 75,000 l. and the Interest; which was borrowed for the *Palatinate*. Arrears for Pensions, a large Sum, but not cast up. To his Household, a great Sum; which his Lordship left to the Officers thereof to relate to the Commons.'

'The Anticipations made by the late King of his Rents, before they were due, came to 50,000 l. which was presently bestowed on this Occasion, the Fleet.'

'His Engagements were, for the Pay of 6000 Foot in the *Low Countries*; of 10,000 Foot under Count *Mansfield*; and for the Rigging, Victualling, and Providing this great Navy, not the like in our Memory.'

2. 'Concerning the State of the King, as it now stands, his Lordship divided the same into Debts and Disbursements, which he defrays out of his own Coffers; that his Father's Debts, Anticipations, and Engagements, lie ill upon him. His own Debts, as Prince, come to 70,000 l. at the least, it is feared 90,000 l. For Payment whereof his Majesty hath engaged those Lands he then had, and the Commissioners Bonds. This great Occasion brought his Majesty, when he was Prince, thus into Debt; for he then gave 20,000 l. to the Navy, and 20,000 l. to Count *Mansfield*, besides other great Gifts that Way; whereas, before, he owed very little, to his Lordship's own Knowledge.'

'The King's Disbursements defrayed out of his own Coffers; to the King of *Denmark*, 46,000 l. to the Soldiers at *Plymouth* and *Hull*, 16,000 l. for Mourning and Funeral, 12,000 l. paid, and 16,000 l. to pay. Expences of the Queen's Entertainment,

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1625.

tainment of Ambassadors in Diet and Gifts, 40,000l. advanced to the Queen, 50,000 l. to the King and Queen of *Bohemia*, 11,000l. to the Navy, 300,000 l. and 100,000 l. to be disbursed, viz. 40,000 l. now, and 60,000 l. at the Return.'

3. 'The King's Estate for the future, as in Charges of Continuance, consisted of ten Articles. 1. Of Debts unpaid, and Interest. 2. Old Anticipations of 50,000 l. 3. Anticipations of new, 200,000 l. taken up by himself, to the emptying of all his Coffers, even of that which should maintain him with Bread and Drink from this Day forward. 4. To the King of *Denmark*, 30,000 l. *per Mensm.* 5. To Count *Mansfield*, 20,000 l. 6. To the *Dutch*, 8000 l. 7. To *Ireland* 2600 l. 8. The Queen's Allowance and Diet, 37,000 l. all *per Mensm.* 9. To the King and Queen of *Bohemia*, 20,000 l. *per Annum.* 10. Preparations for Defence of the Realm, and seconding the Navy.'

'The Lord Treasurer alledged, That certain Sums were omitted, because they were uncertain and before his Time. That no Total was cast up, because he had no Auditor; and promised that himself, or his subordinate Officers, would be ready to give Satisfaction of all or any of these Particulars.'

The Lord Keeper having ended this long Report, which was the Business of a whole Day, the Lords expressed their Approbation of it, and ordered it to be entered on their *Journals*.

As it hath hitherto been the Purport of these Enquiries to state the Matters of Fact as they happened, and leave them to the Reader's Judgment for Reflection, so here we shall do the same; tho' there's Room for a long Chain of Arguments on the foregoing Report; in which the young King and his Ministers have, seemingly, laid themselves, and the Affairs of State, as naked and open, as the Circumstances of the Times could possibly bear: However, it will soon be found to have been of no Availance with the Commons.

On

On the very same Day with the former, *Aug. 9.* a Report was made in that House of what had been delivered at the Conference, by the Recorder of London, the Solicitor General, and Mr. Pymm. This Report was divided, as before in the Lords, into three Heads: The King's Answer to their Petition about Religion; the Duke's Account of the Fleet, &c. and the Lord Treasurer's Conclusion. But it is all so lamely inserted in the *Journals* of the *Commons*, and such great *Hiati* made in the Recital, that it is impossible to make any Thing of the Matter. The last Part of the Report was given by Mr. Pymm; a Name not mentioned before in the Course of this Work, tho' it hath been often met with in the latter Parliaments of King James, as well as in this; yet not hitherto engaged in any Thing material enough for our Notice: But, if this is thought any Slight to the Memory of that great Patriot, it will be amply made up in the Sequel.

An. 1. Charles I.
1625.

One Particular is mentioned in the *Commons Journal*, not taken Notice of in the Lords; which was, That the Lord Treasurer told them, 'That since their House had first taken Care of Religion, and had received so gracious an Answer to it; therefore they ought now, speedily, to think of a Supply; not of his Majesty's Wants, but of those for the Defence of the Kingdom.'

The Report as above, being delivered, Mr. Maynard, afterwards the famous Sergeant Maynard, stood up and told the House, 'That it was an easy Matter to infect the King of *Spain*; but he did not like the vast Charge now demanded, which was not to be supported by the Kingdom. That he was not for a War by Land, but by Sea; and there not with Letters of Marque, but for an open War. Was for recommending to his Majesty the Way to live gloriously at home, and how to be feared abroad; by having his Designs better managed, and an Enemy declared. Was against *Subsidies* in Reversion; but would willingly give, if he knew how; for giving, he said, was adding *Spurs to the Sea-Horses*, Mo-
ved

Debate in the
Commons there-
upon.

An. 1. Charles I. ved for a general Committee to go on these Mat-
 1625. ters the next Day.

On the other Hand, Mr. *Mallet* said, ' That it was not proper at this Time to stand too much upon Precedents. That it was plain the House did not regard them, when they tended to straiten the King's Revenue: For, in the Act of Tonnage and Poundage, which was always, since *Henry VI's*. Time, granted for Life, it is limited now but to the 25th of *March* next, contrary to former Precedents. He moved for a Consideration of the Danger, which might grow by not contenting the King in his just Desires this Parliament.' Others moved for a grand Committee to go upon these Matters the next Morning at Eight of the Clock; which was agreed to.

August 10. Some Naturalization Bills being read, the Chancellor of the Exchequer delivered a Message to the House from the King to this Effect: ' That his Majesty, understanding this House intended to enter into Consideration of divers Heads, concerning the King and Commonwealth, had sent by him this Message: That he was well pleased with their good Intentions; but desired them to consider that his Affairs required a speedy Dispatch. That tho' the Season was far spent, it was yet seasonable; and, if the Plague should begin in the Navy, the Action would be lost; or, if any here should be touched with the Sickness, much Inconvenience would ensue by an abrupt breaking up. Therefore he desired a present Answer about his Supply: If not, he will take Care of their Healths more than they themselves, and make as good a Shift for his present Occasions as he could: But, if they would now comply, he gave them his Royal Word, that in Winter, at what Time they should chuse, they should meet again, and hold together till they had perfected all those Things for the King and Common-Wealth, which are now before them. To all which he promised to give such

The King's Message to hasten the Supply.

An-

‘ Answers, as dutiful and loyal Subjects might expect An. 1. Charles I. 1625.
 ‘ from a gracious and religious King. *Lastly*, The
 ‘ King desired them to consider, *That this was the*
 ‘ *first Request he ever made unto them.*’

The Debates on this Message and the Supply were this Day very long, above 30 different Members speaking in them: The most material of whose Arguments, *pro* and *con*, we shall collect, and give as follows:

The Courtiers argued, ‘ That the Reputation Debate thereon.
 of both King and Kingdom, in point of Honour, was at Stake. That the Preparations now making for War, must have their Movement from Parliament. The Consideration of the disastrous State of the King’s Royal Sister; and of Religion in great Danger abroad, which suffered also at home. Consideration of their Confederates; who would fall asunder, if their King did not hold them together. The Danger of King, Lords, and Commons, by the Sickness, by a longer Continuance.’ Sir Roger North said, ‘ That he was once against giving any Thing at this Time; but had now altered his Opinion by his Majesty’s most gracious Answer about Religion; also because it was his first Request: Besides the Consequence of an ill parting this Parliament would be a Thing very acceptable to the *Papists*. Moved for two *Fifteens* to be added to the two *Subsidies*.’ Another said, ‘ That Precedents were neither to be despised, nor adored as Gods. That in the first Parliament of the late King, two *Subsidies* were granted and four *Fifteens*; within a Month after one *Subsidy* more was given in the same Session. If all our greatest Enemies were here they would refuse to give; to give now, because they could not, at another Time, give towards this Supply. To leave now their Fears, Jealousies, and Disgusts at home, and to rely upon the King’s Promise for their next Meeting to reform such Things. Those Disorders complained of did not happen in this King’s Time; that he, both in his Father’s and his own Time, had assured them
 of

An. 1. Charles I. of his Desire and Resolution to reform those Things.
1625. Moved for a short Question, Whether we will give at this Time, or Not.

The Arguments *per contra* were these ; Sir *Robert Philips* said, ' That the Point now before them, by the King's last Message, might be reduced short to this ; Either to give presently, or else that, in respect of Danger to us, he will adjourn us to some other Time. That the Arguments for giving were Honour, Necessity, and Safety ; not honourable Actions grounded upon sound Counsels. That Necessity had been the continual Argument for Supply in all Parliaments ; but the Counsels which had put the King, and the present great Designs into this Hazard, whoever gave them must answer it. Moved that the present Necessity might be supplied by some other Means, rather than by so dangerous a Precedent. That a Committee might be appointed to consider of a fit Answer to the King, why they could not now give ; and yet to assure him, that they would, in due Time, supply all his honourable and well-grounded Designs.' Sir *Francis Seymour* said, ' It was strange that the Commons of *England* should be called thither only for a Supply of 40,000 l. and it shewed the King's Necessities were great. What was become of all the Money raised by the Act of Resumption of the Crown Lands ? That 140,000 l. had been also raised by Places of Honour ; Places of Justice were sold, and Sergeants Places ; which must come to a greater Sum.' Others argued for giving, so that it might be in a Parliamentary Manner. But Sir *Thomas Wentworth* said, ' That he feared the pressing this Precedent for so small a Sum, was to take the Advantage of it for greater Things hereafter. Was against present giving ; but most ready and willing to give in due Time.' Sir *Heneage Finch* argued, ' That the granting of *Subsidies* in Reverſion, as the Clergy had done, was to bind and give for our Executors, as they had for their Successors. He disliked their drawing hither ; and wish'd they

they might never hereafter be put upon such Rocks: An. 1. Charles I. 1625.
Yet was for giving then, in respect of the King's Answer to their Petition about Religion; the rather, because he had said it was not done to draw us on: But to do this with great Caution, and with a Protestation never to do the like, upon any Necessity hereafter.' Others again were more violent: Mr. Rolle said, 'That the King could not but have Credit, without their Grant, for 40,000 l. That if the Necessity for Money was now so great, this was the Time to press for Redress of Grievances. That *Turkish* Pirates take our Ships and Men, and endanger our Sea-Coasts; which were forced to arm to defend themselves.' The last Speaker, on this Side, we shall mention, was old Sir *Edward Coke*; who began again with his Leaks, and said, 'That two would drown any Ship. That *solum & malum Concilium* was a bottomless Sieve. An Officer should not be *Cupidus alienæ Rei, parvus suæ; avarus Reipublicæ; super omnia expertus. Misera Servitus est, ubi Lex incerta aut incognita.* That in the 11th of Henry III. *Hubert de Burgh*, Chief Justice, advised the King that *Magna Charta* was not to hold, because the King was under Age when that Act was made. He was Earl of *Kent*, but degraded for this some Time after. In the 16th of Henry III. *Segrave*, Chief Justice, was sentenced for giving sole Counsel to the King against the Common-Wealth. That it was *malum Consilium* to press more *Subsidies* when they had given two. To bring them thither only for 40,000 l. And, *Lastly*, offered to give 1000 l. out of his own Estate, rather than grant any *Subsidy* now.'

These Reflections were aimed directly at the Prime Minister, and are bolder than any that fell in this Day's Debate. The Result of all which was, a Resolution was agreed on, 'That a Committee of the whole House should be appointed, at Eight o'Clock the next Morning, to consider what Return to make to his Majesty's Message of this Day.'

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An. 7. Charles I.
1625.

The Commons
proceed in the
Consideration of
Grievances, and
postpone the Sup-
ply.

August 11. Notwithstanding Yesterday's Resolution, we find no Mention of the Message in the next Day's Proceedings; instead of that, the House went upon a Complaint made against Sir *Francis Stewart*, an Admiral, for suffering a Pirate to take an *English* Ship before his Face. That the Merchants acquainted him with this, and desired him to go out and chase the Pirate; who answer'd, That his Commission was not to go on the *French* Coast, where he conceived the Pirate was. He confessed that he saw the Pirate board the *English* Ship, but thought they had been Fishermen. That, in Conclusion, tho' he was offered great Sums of Money, or Half the Goods in the Ship, yet he refused to go out.

Sir *Edward Coke* moved for a Committee to be appointed for this; and afterwards to acquaint the Lords with it. Sir *Francis Seymour* said, 'That the Lord Admiral, *Buckingham*, had the Care of these Things; therefore the Default must needs be in him or his Agents. And moved for a Committee to consider of the Causes thereof, and where the Default lay.' 'Mr. *Lister* mentioned the Wrongs done to our Trade by the *Dunkirkers*; and therefore moved that the Committee to be appointed might, in a general Way, consider of this, and the Safety of all the Sea-ports.' Others agreeing in this, a Committee of the whole House was appointed to take these Matters into Consideration, and they to have Power to name a Sub-Committee.

The rest of this Day's Work was taken up with a long Repetition of the Pardon to the *Jesuits*, &c. and of their desiring a Conference with the Lords, in order to induce them to join in a Petition to the King, to beseech him not to be importuned hereafter by any foreign Ambassador, to grant any Thing contrary to the Answers to their former Petition. On which Sir *Robert Philips* observed, 'That no *Papish* King would, at the Instigation of our Ambassadors, release any Person out of the *Inquisition*.' A Conference with the Lords, on this,

was

was agreed upon and held, and Sir *Edward Coke* An. 1. Charles I.
made the Report of it to their House. 1625.

After repeating what is said before, about obtaining the Pardon from the King, he told them, ' That the Lords had resolved to move the King, never to pardon any *Jesuit*, or other *Papist*, till they were attainted. For their joining in the Petition, they denied it not; but, considering his Majesty's gracious Answer to their other Petition about Religion, and that both Houses were to give him Thanks for it, the Purport of this last might only be intimated to the King; which the Lords pressed them to consent to. That he had declared the Satisfaction of that House, touching the Pardon and the Date thereof, and the Lord *Conway's* Letter. Lastly, That all the Lords were most hearty in the Point of Religion.'

In this Manner stood Affairs in both Houses, when the next Day, *August* 12th, a Protestation was unanimously agreed upon, by the Commons, in a Grand Committee, which was reported to the House, ordered to be entered in the Clerk's Book, and presented to his Majesty with all convenient Speed, by all the Members that were of the Privy Council, with Sir *John Fullerton* and Sir *Robert Carr* attending them. Immediately after this, the Gentleman-Usher of the Black Rod came to call the House and the Speaker to come up to the Lords, to hear a Commission from the King, read to both Houses: Which was done accordingly.

Thus far the *Journals*.—But *Rushworth* proceeds Whereupon the King dissolves the Parliament.
to tell us, That the King, perceiving the Commons resolved against a Supply, without Redress of Grievances; and, in their Debates, to reflect upon some great Persons near himself, on the 12th of *August*, sent to the House of Peers a Commission, directed to several Lords, for the Dissolution of the Parliament. And the Speaker, with the other House, being sent for, the Commission was read before them all; and this Parliament was declared to be dissolved.

An. 1. Charles I.
1625.

Thus the latter Session of this Parliament came to an End, without any manner of Business being concluded in it. The first had only nine Acts passed, all of them of no Consequence to this History, except the Acts for *Subsidies* from the Clergy and Temporality, already mentioned; and an Act, as usual, That this Session of Parliament shall not be ended, notwithstanding the King's Assent to these and some other Acts. The Protestation of the Commons, mentioned above, is not in *their Journals*; but is preserved by *Rushworth*, and some other Historians of those Times; which, being singular in its Kind, full of loyal and dutiful Expressions to their Sovereign, deserves particular Notice at this Juncture.

The Commons
Protestation.

‘ WE the Knights, Citizens, and Burgeses
‘ of the Commons House of Parliament,
‘ being the representative Body of the whole Com-
‘ mons of this Realm, abundantly comforted in his
‘ Majesty’s late gracious Answer touching Religion,
‘ and his Message for the Care of our Health, do
‘ solemnly protest and vow before God and the
‘ World, with one Heart and Voice, that we are
‘ all resolved, and do hereby declare, that we will
‘ ever continue most loyal and obedient Subjects to
‘ our most gracious Sovereign Lord King *Charles*;
‘ and that we will be ready, in convenient Time,
‘ and in a Parliamentary Way, freely and duti-
‘ fully to do our utmost Endeavours, to discover
‘ and reform the Abuses and Grievances of the
‘ Realm and State; and in like sort to afford all
‘ necessary Supply to his most Excellent Majesty,
‘ upon his present, and all other his just Occasions
‘ and Designs; most humbly beseeching our said
‘ dear and dread Sovereign, in his princely Wisdom
‘ and Goodness, to rest assured of the true and hearty
‘ Affections of his poor Commons, and to esteem
‘ the same to be (as we conceive it is indeed) the
‘ greatest worldly Reputation and Security that a
‘ just King can have; and to account all such as
‘ Slanderers of the Peoples Affections, and Enemies

'mies to the Common-Wealth, that shall dare to
'say the contrary.'

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1625.

It is plain that the Antipathy the Commons had then taken against the Prime Minister, was the Occasion of their Slackness in granting Supplies, tho' Things were not yet come to that Maturity as to exhibit Articles against him. The Answers he had given to the Objections, about his Conduct of the Fleet, were, no doubt, satisfactory to some; but, we are told, there were others in the Lower House, who were his secret and close Enemies; and could, at any Time, conjure up, under the Name of Religion and Grievances, Quarrels, which they even managed to the Dissolution of the Parliament itself (q).

But, whoever had the Management of the Helm of Government at this Time, it is certain they steered very ill. The King, when Prince, may be said to have served an Apprenticeship to Parliaments (r); and, by his constant Attendance there, in his Father's Time, where he often did good Offices between the King and them, must have acquired an entire Knowledge of those august Assemblies. How he came to take such Measures, as these and other succeeding ones, at the very Beginning of his Reign, is a Secret not yet unfolded in History. The Favourite must be the Cause; who, to save himself, precipitated his Prince to take such Courses as might have ended in the Ruin of them both at that Time; but, no doubt, gave a great Handle to the secret Enemies of the Church and Monarchy, to lay their Schemes for the entire Destruction of those antient Pillars of the English Constitution.

The Parliament being dissolved, the King carried on his Schemes of War, and resolved the Fleet should put out to Sea; notwithstanding he wanted Money to support it. The House of Austria, at

Remarks there-
on.
The King pur-
sues his Designs
for War;

C c 3

that

(q) *Franklyn's Annals*. P. 113.

(r) See before, P. 351.

Ann. 1. Charles I.
1625.

that Time, invested both with the *Imperial* and *Spanish* Diadems, was the Object this War was levelled at. He enters into a strict Alliance with the States of the *United Provinces* against them; and actually sent out a Fleet of 80 Sail, with ten Regiments on board, in an Expedition against *Cadiz*. The ill Success of that Enterprize is attributed to the Soldiers getting drunk with sweet Wines, and to an infectious Distemper which spread amongst them, and carried off great Part of the Fleet. However it was, the Commanders of this Expedition brought home no Laurels with them; but returned, inglorious, about the Middle of *November* this Year as is more particularly related by our general Historians.

And issues a Proclamation against Recusants.

Whilst this Enterprize was carrying on abroad, the King set about performing his Promise made to Parliament, on Religious Affairs. A Proclamation was issued out for calling home all the Children of *Popish Recusants*, sent out for foreign Education, or otherwise. Likewise all *English, Scotch* and *Irish* Soldiers, who had entered into the Service of the *Emperor* and King of *Spain*, were recalled. The Archbishops of both Provinces were required to proceed strictly against all *Popish Recusants* in their Districts, by Excommunications and other Censures of the Church; and, by another Proclamation, they were commanded not to stir above five Miles from their own Homes, and were also effectually disarmed. But these Sugar-Plumbs did not serve to sweeten other Courses, which the King and the Ministry thought fit to take at the same Time.

The Dissolution of the Parliament having prevented any Hopes of a Supply from that Quarter, and the Treasury wanting Money to defray the extraordinary Charge of Fleets and Armies; the Minister fell upon another Way of raising Supplies, not unprecedented, yet never done but when some unfortunate Difference happen'd between King and Parliament. Accordingly Letters were directed to the Lord Lieutenants of the several Counties, for borrowing so much Money from People able

able to lend, as might discharge the present Occa-
sions. The Tenor of which Letters were as fol-
lows:

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1625.

Right Trusty and Well-beloved, &c.

*I*T hath been so usual a Thing for Kings and Princes of this Realm, to make Use of their Subjects good Affections, by borrowing some such competent Sums of Money of Persons able to lend, as might supply those present Occasions for public Service, which cannot attend that Length of Time wherein it can be raised by Contribution by the Generality of our Subjects. As we have not only present Occasion to make the like Trial, by borrowing from some private Gentlemen and others, but also of your Sincerity and Endeavours in furtherance of the Service: That is to say, in taking some Course, either out of your own Knowledge and Experience, or by any other Means or Instruments which you like best, to make Collection of as many Persons Names within the County wherein you are Lieutenant, as may be of Ability to furnish us with several Sums at this Time; and thereupon to return in a Book, both the Names of the Persons, their Dwellings, and what Sums you think they may spare, that we may thereupon direct our Privy-Seals unto them, according to the Form of this inclosed.

Letters from the
Council for rais-
ing Money by
way of Loan.

And for your further Instruction in this Case, on whose Trust we do so much repose, we wish you to advise herein with your Deputy Lieutenants, as those from whom we have special Cause to promise ourselves all good Offices of Duty and Affection. To which we must add thus much further, That we do not intend at this Time to deal with any Nobleman; neither are you to deal with any of the Clergy, because we have reserved that Direction to the Metropolitans of the several Provinces, to proceed only with some special Persons, that are known to be Men of Wealth and Ability, and not meerly subsisting upon those Livings, which, in most Places, are far inferior to that Maintenance we could wish them. By which Course and Consideration of ours, tho' you may perceive how much

we

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we desire to procure this Loan without Inconvenience to any, which is only intended for the Service of the Public, yet must we assure you, that we had no greater Cause at any Time than now, to make Use of your Integrity and Industry, in respect of your Election of the Lenders, and of your constant Demonstration, both of Diligence and Affection to the Service. Having now delivered unto you as much as for the present can be expected from us, we will refer you for any further Direction unto our Privy Council, as hereafter Occasion shall require. To whom our Pleasure is, you do return your Certificates, in Manner and Form as is aforesaid, at the most within twenty Days after the Receipt of these our Letters. Given at, &c.

The Comptroller of the King's Household, by the Council's Order, issued forth Letters in the King's Name, under the *Privy-Seal*, to the several Persons returned for the Loan of Money, in Form as followeth :

Trusty and Well-beloved, &c.

HAVING observed, in the *Precedents and Customs* of former Times, that all the Kings and Queens of this Realm, upon extraordinary Occasions, have used either to resort to those Contributions, which arise from the Generality of Subjects, or to the private Helps of some well-affected in particular, by way of Loan: In the former of which Courses, as we have no Doubt of the Love and Affection of our People, when they shall again assemble in Parliament; so, for the present, we are enforced to proceed in the latter Course, for supply of some Portions of Treasure for divers public Services; which, without manifold Inconveniences to us and our Kingdom, cannot be deferred. And therefore, this being the first Time that we have required any Thing in this Kind, we doubt not but we shall receive such a Testimony of your good Affection from you, amongst other of our Subjects, and that with such Alacrity and Readiness, as may make the
same

same so much the more acceptable; especially seeing we require but that Sum, which few Men would deny a Friend, and have a Mind resolved to expose all our earthly Fortune for Preservation of the general. An. 1. Charles I.
1625.
The Sum which we require of you by these Presents is —————; which we do promise in the Name of us, our Heirs and Successors, to repay to you, or your Assigns, within eighteen Months after the Payment thereof unto the Collector. The Person whom we have appointed to collect it, is —————; to whose Hands we do require you to send it within twelve Days after you have received this Privy-Seal; which, together with the Collector's Acquittance, shall be sufficient Warrant unto the Officers of our Receipt, for the Repayment thereof at the Time limited. Given at, &c.

Pursuant to this Privy-Seal, the Monies required were generally according to the Proportion following, viz.

For the West-Riding of Yorkshire.

Sir Thomas Wentworth, 20 l. Sir Francis Fuljamb, 20 l. Sir John Jackson, 20 l. Sir Edward Osborne, 30 l. Godfrey Copley, Esq; 15 l. Sir Ralph Hansby 15 l. Robert Portington, Esq; 10 l. Stephen Bright, Esq; 10 l. George Westby, Esq; 10 l. Sir John Ramsden, 15 l. John Armitage, Esq; 15 l. John West, Esq; 10 l. John Kaye, Esq; 13 l. 10 s. Sir Henry Saville, 30 l. Sir John Saville, 15 l. Philip Hungate, Esq; 15 l. Widow Armitage, 10 l. Ursula Wentworth, 10 l. &c.

The Collectors of this Loan were appointed to pay into the Exchequer the Sums received; and also to return the Names of such as discovered a Disposition to delay, or excuse, the Payment of the Sums imposed upon them. Which not answering the Design;

Notwithstanding these Loans were industriously collected in all Parts of the Kingdom, yet they did not answer the pressing Necessities of the State:
And

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The King calls a
new Parliament.

And much Discontent arising from this Way of raising Money, as well as the unsuccessful Voyage to *Cadiz*, the King resolved to summon another Parliament to meet in *February*, which was still the first Year of his Reign. — As we have hitherto given the State of the Peerage, at the Beginning of every new Reign, we shall now do the same; by exhibiting a List of all the Peers summoned to the first Parliament of this King; for the second is not entered in *Dugdale's* Summons to Parliament.

State of the Peer-
age at this Time.

THE KING to his dearly beloved Cousin,
George Duke of *Buckingham*, Lord High
Admiral of *England*, &c.

William Marquis of *Win-* *William* Earl of *Exeter*.
chester. *Philip* E. of *Montgomery*.

Thomas Earl of *Arundel* *John* E. of *Bridgewater*.
and *Surry*, Earl Mar- *William* E. of *Northamp-*
shall of *England*. *ton*.

Henry Earl of *Northum-* *Robert* E. of *Leicester*.
berland. *Robert* E. of *Warwick*.

John E. of *Shrewsbury*. *William* E. of *Devonshire*.
Henry E. of *Kent*. *John* E. of *Holdernefs*.

William E. of *Derby*. *James* E. of *Carlisle*.
Edward E. of *Worcester*, *William* E. of *Denbigh*.
Lord Keeper of the *John* E. of *Bristol*.

Privy-Seal. *Christ*. E. of *Anglesea*.
Francis E. of *Rutland*. *Robert* E. of *Somerset*.

Francis E. of *Cumberland*. *Henry* E. of *Holland*.
Robert E. of *Suffex*. *Oliver* E. of *Bolingbroke*.

Henry E. of *Huntingdon*. *John* E. of *Clare*.
Edward E. of *Bath*. *Francis* E. of *Westmore-*

Edward E. of *Bedford*. *land*.
William E. of *Pembroke*. *Anthony* Viscount *Men-*

William E. of *Hertford*. *tagu*.
Robert E. of *Effex*. *William* Visc. *Wallinsford*.

Theophilus E. of *Lincoln*. *John* Visc. *Purbeck*.
Charles E. of *Nottingham*. *William* Visc. *Mansfield*.

Thomas E. of *Suffolk*. *Henry* Visc. *Mandeville*,
Edward E. of *Dorset*. Lord President of the
William E. of *Salisbury*. Council.

Francis

Of ENGLAND. 411

<i>Francis Visc. St Alban (s).</i>	<i>Edward L. Wotton.</i>	An. 1. Charles I. 1625.
<i>Thomas Visc. Colchester.</i>	<i>Francis L. Russell.</i>	
<i>Henry Visc. Rochford.</i>	<i>Henry L. Grey of Groby.</i>	
<i>Thomas Visc. Andover.</i>	<i>William L. Petre.</i>	
<i>Richard Visc. Tunbridge.</i>	<i>Henry L. Danvers.</i>	
<i>William Visc. Say & Seale.</i>	<i>Robert L. Spencer.</i>	
<i>Henry Nevile Lord Ber-</i>	<i>Edward L. Denny</i>	
<i>gavenny.</i>	<i>Charles L. Stanhope of</i>	
<i>Mervin Tuchet L. Audley.</i>	<i>Harrington.</i>	
<i>Edward L. Zouch.</i>	<i>George L. Carew.</i>	
<i>Geo. L. Berkley of Berkley.</i>	<i>Thomas L. Arundel of</i>	
<i>Robert L. Willoughby of</i>	<i>Wardour.</i>	
<i>Eresby.</i>	<i>John L. Tenham.</i>	
<i>Hen. West L. De la War.</i>	<i>Philip L. Stanhope of</i>	
<i>Henry Parker L. Morley</i>	<i>Shelford.</i>	
<i>and Monteagle.</i>	<i>Edward L. Noel.</i>	
<i>Richard L. Dacres.</i>	<i>Fulk L. Brooke.</i>	
<i>Emanuel L. Scrope.</i>	<i>Edward L. Montagu.</i>	
<i>Edward Sutton L. Dudley.</i>	<i>Robert L. Carey.</i>	
<i>Edward L. Stourton.</i>	<i>John L. St. John of Ba-</i>	
<i>Henry L. Herbert, eldest</i>	<i>sing.</i>	
<i>Son to Edward E.</i>	<i>William L. Grey of Werke.</i>	
<i>of Worcester.</i>	<i>Francis L. Deyncourt.</i>	
<i>John L. Darcie and Mey-</i>	<i>James L. Ley of Ley,</i>	
<i>mill.</i>	<i>Lord High Treasurer</i>	
<i>Edward Vaux L. Har-</i>	<i>of England.</i>	
<i>rowden.</i>	<i>Rich. L. Roberts of Truro.</i>	
<i>Thomas L. Windsor.</i>	<i>Ed. L. Conway of Ragley.</i>	
<i>Thomas L. Wentworth.</i>	<i>Horace L. Vere of Tilbury.</i>	
<i>John L. Mordaunt.</i>		
<i>Thomas L. Cromwell.</i>	In all.	
<i>William L. Eure.</i>		
<i>Philip L. Wharton.</i>	Duke ———	1
<i>Edmund L. Sheffield.</i>	Marquis ———	1
<i>William L. Paget.</i>	Earls ———	37
<i>Dudley L. North.</i>	Viscounts ———	11
<i>Theophilus Howard L.</i>	Barons ———	47
<i>Walden, eldest Son to</i>		—
<i>the E. of Suffolk.</i>		97
		Dr.

(s) By the Sentence pass'd upon this Peer, (see Vol. V. p. 420.) he was disabled from ever sitting in Parliament; and tho' he was afterwards pardoned by King *James*, yet he was not summoned during that King's Reign.

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AN. 1. Charles 1.
1625.

Dr. *John Williams*, Lord Keeper of the Great Seal, and Bishop of *Lincoln*, had fallen under the Displeasure of the Duke of *Buckingham*, who prevailed upon his Majesty to take the Seal from him, and give it to Sir *Thomas Coventry*.—This is necessary to premise, because the Reader ought to understand who it was that spoke in that Character in the ensuing Parliament (1).

On *Monday, February 6th*, the Parliament met at *Westminster*; when, the King being seated on his Throne, the Lords in their Robes, and the Commons below the Bar, his Majesty, in a very short Speech, told them, That he had directed the Lord Keeper to signify his Pleasure to both the Houses.

THE LORD KEEPER'S SPEECH.

My Lords, and you the Knights, Citizens, and Burgesses of the House of Commons,

The Lord Keeper's Speech.

YOU are here assembled, by his Majesty's Writs and Royal Authority, to hold a new Parliament, the General, Antient, and Powerful Council of this Renowned Kingdom; whereof, if we consider aright, and think of that incomparable Distance between the Supreme Height and Majesty of a Mighty Monarch, and the submissive Awe and Lowliness of a loyal Subject, we cannot but receive exceeding Comfort and Contentment in the Frame and Constitution of this highest Court; wherein not only the Prelates, Nobles, and Grandees, but the Commons of all Degrees have their Part; and wherein that high Majesty doth descend to admit, or rather to invite the humblest of his Subjects to Conference and Counsel with him, of the great, weighty, and difficult Affairs of the King and Kingdom; a Benefit and Favour whereof we cannot be too sensible and thankful; for sure I am, that all good Hearts
would

(1) We are told in *Hacket's Life of Bishop Williams*, that one Reason of the Bishop's Fall was, his Advising the King against the Dissolution of his first Parliament.

' would be both sensible and sorrowful, if we did
 ' want it; and therefore it behoveth all, with united
 ' Hearts, and Minds free from Distraction and
 ' Diversion, to fix their Thoughts upon Counsels
 ' and Consultations worthy of such an Assembly,
 ' remembering, That in it is presented the Majesty
 ' and Greatness, the Authority and Power, the
 ' Wisdom and Knowledge of this great and famous
 ' Nation; and it behoveth us to magnify
 ' and bless God, that hath put the Power of assembling
 ' Parliaments in the Hands of him, the
 ' Virtue [*inherent*] of whose Person doth strive
 ' with the Greatness of his Princely Lineage and
 ' Descent, whether he should be accounted *Major*
 ' or *Melior*, a greater King, or a better Man;
 ' and of whom you have had so much Trial and
 ' Experience, that he doth as affectionately love,
 ' as he doth exactly know and understand the true
 ' Use of Parliaments; witness his daily and unwearyed
 ' Access to this House, before his Access to the Crown;
 ' his gracious Readiness to all Conferences of Importance;
 ' his frequent and effectual Intercession to his Blessed
 ' Father of never-dying Memory, for the Good of the
 ' Kingdom, with so happy Success, that both this and
 ' future Generations shall feel it, and have cause to
 ' rejoice at the Success of his Majesty's Intercession.
 ' And when the Royal Diadem descended upon himself,
 ' presently, in the midst of his Tears and Sighs for
 ' the Departure of his most Dear and Royal Father,
 ' in the very first Consultation with his Privy Council,
 ' was resolved to meet his People in Parliament:
 ' And no sooner did the heavy Hand of that destroying
 ' Angel forbear those deadly Strokes, which, for some
 ' Time, did make this Place inaccessible, but his Majesty
 ' presently resolved to recall it, and hath now brought
 ' you together, and in a happy Time, I trust, to treat
 ' and consult, with uniform Desires and united Affections,
 ' of those Things that concern the general Good.
 ' And now being thus assembled, his Majesty hath
 ' commanded me to let you know, That his
 ' Love

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1625.

‘ Love and Affection to the Public, moved him to
 ‘ call this Parliament; and looking into the Danger
 ‘ and the spreading of that late Mortality, and
 ‘ weighing the Multitude of his Majesty’s pressing
 ‘ Occasions and urgent Affairs of State, both at
 ‘ home and abroad, much importing the Safety
 ‘ and State of this Kingdom; the same Affection
 ‘ that moved him to call it doth forbid him to pro-
 ‘ long the sitting of this Parliament: And there-
 ‘ fore his Majesty resolving to confine this Meet-
 ‘ ing to a short Time, hath confined me to a short
 ‘ Errand; and that is, That as a Thing most a-
 ‘ greeable to the Kingly Office, to the Example
 ‘ of the best Times, and to the Frame of modern
 ‘ Affairs, his Majesty hath called you together to
 ‘ consult and advise of provident and good Laws,
 ‘ profitable for the Public, and fitting for the pre-
 ‘ sent Times and Actions; for upon such depends
 ‘ the Assurance of Religion and of Justice, which
 ‘ are the surest Pillars and Buttresses of good Go-
 ‘ vernment in a Kingdom: For his Majesty doth
 ‘ consider, that the Royal Throne, on which God,
 ‘ out of his Mercy to us, hath set him, is the Foun-
 ‘ tain of all Justice, and that good Laws are the
 ‘ Streams and Rills by which the Benefit and Use of
 ‘ this Fountain is dispersed to his People; and it is his
 ‘ Majesty’s Care and Study, that his People may see,
 ‘ with Comfort and Joy of Heart, that this Foun-
 ‘ tain is not dry; but they and their Posterity may rest
 ‘ assured and confident in his Time, to receive as
 ‘ ample Benefit from this Fountain, by his Maje-
 ‘ jesty’s Mercy and Justice, as ever Subjects did in
 ‘ the Time of the most eminent Princes, amongst
 ‘ his Noble Progenitors; wherein, as his Majesty
 ‘ shews himself most sensible of the Good of the
 ‘ Public, so were it an Injury to this great and ho-
 ‘ nourable Assembly, if it should be but doubted,
 ‘ that they shall not be as sensible of any thing
 ‘ that may add to his Majesty’s Honour; which
 ‘ cannot but receive a high Degree of Love and
 ‘ Affection, if his Majesty, succeeding so many
 ‘ Re-

Religious, Wise, and Renowned Princes, should
begin his Reign with some Additions unto those
good Laws which their happy and glorious Times
have afforded. And this his Majesty hath caused
me to desire at this Time, especially, above others;
for his Majesty having, at his Royal Coronation,
lately solemnized the sacred Rites of that blessed
Marriage between his People and him; and there-
in, by a most holy Oath, vowed the Protection
of the Laws and Maintenance of Peace, both
to Church and People; no Time can be so fit for
his Majesty to advise and consult at large with
his People, as at this present Time, wherein so
lately his Majesty hath vowed Protection to his
People, and they have protested their Allegiance
and Service to him.

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This is the Sum of that Charge which I have
received from his Majesty to deliver unto you;
wherein you see his Majesty's Intent to the
Public: And therefore his Desire is, That, accord-
ing to that Conveniency of Time which his
Affairs may afford, you will apply yourselves to
dispatch the Business of this Parliament.

The *Wednesday* following the Commons present- Sir Heneage
ed Sir Heneage Finch, Knt. Sergeant at Law, and Finch elected
Recorder of *London*, for their Speaker; who hav- Speaker.
ing made the accustomed Excuses, and acknow-
ledged his Majesty's Approbation, made this Speech.

SINCE it hath pleased your Majesty not to
admit my humble Excuse, but, by your
Royal Approbation, to crown this Election; af-
ter my Heart and Hands first lifted up to God, that
hath thus inclined your Royal Heart, I do render
my humblest Thanks to your Majesty, who are
pleased to cast so gracious an Eye upon so mean a
Subject; and to descend so low as, in a Service of
this Importance, to take me into your Princely
Thoughts. And since we all stand for Hundreds
and Thousands, for Figures and Cyphers, as your
Majesty, the Supreme and Sovereign Auditor,
shall

His Oration to
the Throne.

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‘ shall please to place and value us, and, like Coin
‘ to pass, are made current by your Royal Stamp
‘ and Impression only, I shall neither disable nor
‘ undervalue myself, but with a faithful and chear-
‘ ful Heart, apply myself with the best of my
‘ Strength and Abilities, to the Performance of
‘ this weighty and public Charge; wherein, as I do,
‘ and shall to the End, most humbly desire your
‘ gracious Acceptance of my good Intentions and
‘ Endeavours, so I could not but gather some Con-
‘ fidence to myself, that your Majesty will look fa-
‘ vourably upon the Works of your own Hands.
‘ And, in Truth, besides this Particular, these pub-
‘ lic Things which are obvious to every Under-
‘ standing, are so many Arguments of Comfort
‘ and Encouragement; when I contemplate and
‘ take a View of those inestimable Blessings, which,
‘ by the Goodness of God, we do enjoy under
‘ your Majesty’s most pious and prudent Govern-
‘ ment.

‘ If we behold the Flame and the Face of the
‘ Government in general, we live under a Mo-
‘ narchy; the best of Governments, the nearest
‘ Resemblance unto the Divine Majesty which the
‘ Earth affords, the most agreeable to Nature, and
‘ that in which other States and Republicks do easily
‘ fall and reverse into the Ocean, and are naturally
‘ dissolved as into their *primam Materiam*. The
‘ Laws by which we are governed, are above any
‘ Value my Words can set upon them; Time hath
‘ refined and approved them; they are equal at least
‘ to any Laws Human, and so curiously framed and
‘ fitted, that as we live under a temperate Climate,
‘ so the Laws are temperate; yielding a due Ob-
‘ servance to the Prerogative Royal, and yet pre-
‘ serving the Right and Liberty of the Subject;
‘ that which *Tacitus* saith of two of the best Em-
‘ perors, *Res olim insociabiles miscuerant, Imperium*
‘ & *Libertas*: And so far is this from the least Di-
‘ minution of Sovereigns, that, in this, your Maje-
‘ sty is truly stiled *Pater Patriæ*, and the greatest
‘ King in the World, that is King of such and so
‘ many

many free-born Subjects, whose Persons you have An. r. Charles I.
 not only Power over, but, which is above the 1625.
 greatest of Kings, to command their Hearts.
 If Time or Corruption of Manners breed any
 Mists or Grievance, or discover any Defect in
 the Law, they are soon reformed by Parliament,
 the greatest Court of Justice, and the greatest
 Council of the Kingdom, to which all other
 Courts and Councils are subordinate. Here your
 Royal Person still inthroned in the State of Ma-
 jesty, attended by a Reverend and Learned Pre-
 lacy, a great and full Nobility inthroned, like Stars
 in the Firmament, some of a greater some of a lesser
 Magnitude, full of Light and Beauty, and acknow-
 ledging to whom they owe their Lustre; and by a
 choice Number of worthy Knights and Gentlemen,
 that represent the whole Body of your Commons.
 But to leave Generals: We live not under a Mo-
 narchy only, the best of Governments, and un-
 der a Government the best of Monarchies; but
 under a King the best of Monarchs, your Royal
 Person, and those eminent Graces and Virtues
 which are inherent in your Person, (in whom
 Greatness and Goodness contend for Superiority)
 it were Presumption in me to touch, tho' with
 never so good a Meaning; they will not be
 bounded within the narrow Compass of my Dis-
 course: And such Pictures of such a King are
 not to be made in Limning, but for public
 Things and Actions which the least Eye may see
 and discern; and in them, obliquely and by Re-
 flection, cheerfully and with Comfort behold your
 Person. What Age shall not record and eternize
 your Princely Magnanimities in that heroic Ac-
 tion or venturous Journey into *Spain*, or hazard-
 ing your Person to preserve the Kingdom? Fa-
 thers will tell it to their Children in Succession;
 After-ages will then think it a Fable. Your
 Piety to the Memory of your dear Father, in
 following and bedewing his Herse with your
 Tears, is full in every Man's Memory. The
 Public Humiliation when God's Hand lay heavy
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upon us, and the late Public Thanksgiving to Almighty God for removing his Hand, both commanded and performed in Person by your Majesty, is a Work in Piety not to be forgotten; and I trust the Lord will remember them, and reward them with Mercy and Blessing to your Majesty and the whole Kingdom. Your Love to Justice, and your Care in the Administration of Justice, we all behold with Comfort, and rejoice to see it; the great Courts of Justice from the highest to the lowest furnished with Judges of that Wisdom and Gravity, Learning and Integrity. The Thrones of Kings are established by Justice; and may it establish, and I doubt not but it will establish the Throne of your Majesty in your Person, and in your Royal Line, to the End of Time. But above all, and indeed it is above all, as far as Heaven is distant from the Earth, your Care and Zeal for the Advancement of God's true Religion and Worship, are clearly and fully expressed, and do appear both in your Person, and by your public Acts and Edicts. It is true that it is said of Princes, *Quod faciunt præcipiunt*; of your Majesty both are true, and a Proposition made convertible. We have received a most gracious Answer from your Majesty to all our late Petitions concerning Religion, seconded with a public Declaration under the Great Seal, and enrolled in all the Courts of Justice, for your Royal Pleasure and Direction to awaken and put Life into these Laws by a careful Execution, with Provision that the Penalties be not converted to your private Coffers; and yet the Coffers of the Kings are not private Coffers, but, by your express Direction, set apart to public Uses, such as concern the immediate Defence of the Kingdom, wherein we all have our Share and Interest. Your Royal Proclamation hath commanded those *Romish Priests* and *Jesuits* to Banishment; those Incendiaries that infect the State of this Church and Common-Wealth. Their very Entrance into this Kingdom is, by a just

just and provident Law, made Treason; their An. 1. Charles I.
 Aims being in Truth (how specious soever their 1625.
 Pretences be) nothing else but to plot and contrive Treason against the State, and to seduce your natural-born Subjects from their true Obedience, nourishing in their Posterities Factions and Seditions: Witness those many Treasons and Conspiracies against the Person of that glorious Lady, whose Memory will never die; and that horrible matchless Conspiracy, the *Powder-Treason*, the Master-Piece of the Devil. But God that preserved her and your Royal Father against all their treacherous Conspiracies, and hath given you a Heart to honour him, will honour and preserve you: Religion will more truly keep your Kingdoms, than the Seas do compass them: It is the Joy of Heart to your Majesty's loyal and well-affected Subjects, and will ever be the Honour of your Regal Diadem, and the Crown of your Crown. The *Spanish* Invasion in 1588, I hope will ever be remembred in *England*, with thankful Acknowledgment to God for so great a Deliverance: And I assure myself it is remembred in *Spain*, but with another Mind, a Mind of Revenge; they are too constant to their Counsels, to acquit their Resolutions and Purposes that drew on that Attempt. It was long before discovered, and since printed, not without their Liking, That they affect an Universal Monarchy. *Videor mihi videre* (saith *Lipsius* of their State) *Solem orientem ab Occidente*; a Monster in Nature. And one of their own, speaking of the two great Lights which God had placed in the Firmament, makes the Pope *Luminare majus presidens Urbi & Orbi*, and the King of *Spain*, *Luminare minus ut subdetur Urbi & dominetur per totum Orbem*: A great Flattery, and a bold and impudent Illusion. But I trust, as God hath put it into the Heart of your blessed Father, by the matchless Book of his, written to all Christian Monarchs and Princes (a Work by which he raised a Monument to himself more lasting than

An. 1. Charles I.
1625.

Marble) to denounce War to that Adversary of God and Kings, the *Pope*; so he hath set your sacred Majesty upon the Throne of your Father, to do as many Things worthy to be written, as he had written Things worthy to be read; amongst them to restrain that unlimited Pride and boundless Ambition of *Spain*, to reduce it to their proper Current and Channel; who, under the Title of Catholic King, makes his Pretence to more Countries and Kingdoms than his own; and, by colour of disguised Treaties, he invades the *Palatinate*, and dispossesteth the incomparable Lady your Royal Sister, and the Children of this Kingdom, of their Right and their antient Patrimony and Inheritance, to the Discomfort and Dishonour of this great and glorious Nation. God in his Mercy soon repair this Breach by your Royal Head; and, I assure myself, the Hearts, the Hands, and the Purfes of all good Subjects will say *Amen*.

But I may weary your Majesty, and lose myself, and forget for whom I am Speaker. Custom gives me the Privilege, as an humble Suitor on the Behalf of the House, to present their few Petitions unto your Majesty.

1. 'The first, That, for our better attending this public and important Service, ourselves and our necessary Attendance may, with your Majesty's tender Allowance, be free, both in our Persons and Goods, from Arrests and Troubles, according to our antient Privileges.

2. 'The next, That since, for the preparing and drawing to Conclusion such Propositions as shall be handled in the House, Debate and Dispute will be necessary; and by Variety of Opinions, Truth is oftentimes best discern'd; your Majesty will likewise, according to your antient Usage and Privilege, vouchsafe us Liberty and Freedom of Speech, from which, I assure myself, Duty and Loyalty to your Majesty will never be severed.

3. 'That

3. 'That when Occasions of Moment shall require, your Majesty, upon our humble Suit, and at such Times as may best sort with your Occasions, will vouchsafe us Access to your Royal Person.
4. 'That the Proceedings of the House may receive a favourable Interpretation at your gracious Hands, and be free from Misconstructions.'

An. 1. Charles I.
1625.

The first Thing the Commons went upon, was to appoint a grand Committee for Privileges and Elections: To fix a Day and Place for receiving the Communion; and to nominate a Preacher. Every Member of the House was to take the Sacrament at *St. Margaret's Church, Westminster*, on Sunday Sevensnight: To bring his Name, and the Place for which he serves, and to deliver it to some Gentlemen appointed for that Purpose. After that Time no Man was to come into the House, till he had first received the Communion in the Presence of some of this Committee.

All the Members
of the Commons
receive the Sa-
crament.

This religious Precaution had been taken at the Beginning of some late Parliaments, designed, no doubt, for the Detection of concealed Papists; imagining, that tho' they might take the Oath of Allegiance and Supremacy, against their Consciences, yet they would not be so wicked as to crown their Hypocrisy with receiving the Sacrament. But, as none refused, so we may charitably suppose there were no concealed *Papists* in that House.

Feb. 10. This Day, after some Business of small Moment was done, the Chancellor of the Exchequer delivered a Message from the King to the Commons, to this Effect:

- 'That his Majesty, taking Notice of an Order they had made, to send out new Writs upon double Returns, desires to acquaint them also, That Sir *Edward Coke*, being Sheriff of *Buckinghamshire*, was returned one of the Knights of the Shire for *Norfolk*, contrary to the Tenor of the Writ: Therefore he hoped the House would do

The King's
Message concern-
ing Sir Edward
Coke.

An. 1. Charles 1. 1625. him that Right as to send out a new Writ for that
 ‘ County.’

In order to understand the Meaning of this Message better, it is necessary to look into the Histories of these Times for a further Explanation. It is said, That, to disqualify some Gentlemen, who had been zealous in their Opposition to the Court in the last Parliament, from serving in this, the King had pricked them as Sheriffs of Counties for the Year ensuing. Amongst the rest old Sir *Edward Coke*, who had so vigorously distinguished himself against the Minister and his Measures, was nominated as above. This great Lawyer demurred to the Oath of a Sheriff, and insisted that one Part of it, which was *to destroy and eradicate all Heresies, commonly called Lollardies, was not to be taken.* This produced an Order of Council, wherein that Clause was left out of the Oath, and established to continue so for the future: However, Sir *Edward* got himself returned, as Knight of the Shire, for another County; and this was the Occasion of the King’s Message, and the Debates in the House of Commons which ensued upon it. Tho’ all that the House did this Day, in relation to the Message, was to refer it to the Committee of Privileges and Elections, to report their Opinions of the Law in these Cases, and the Usage of Parliament, and to be the first heard.

Motion as to
 scandalous Mini-
 sters.

After this Sir *Benjamin Rudyard* got up, and moved the House on account of Religion, ‘Whereof, he said, the King had given ample Testimonies of his great Care and Concern, both by his Majesty’s late Proclamations, and the Life given to the Execution of the Laws against them, by Commissions and Letters: But he thought there ought to be some Care taken against scandalous Ministers, as well as scandalous Livings. Said, That he knew two Ministers in *Lancashire*, who were found to be unlicensed Ale-House Keepers.’ A Committee ordered to consider thereof.

Mr. *Pymme* moved, ‘That this Committee might also consider of certain Articles, set down
 last

last Parliament, but not put into their Petition, of any Thing else concerning Religion.' Upon which Motions a large Committee was appointed, and all that would come were to have Voices, to consider of all Points concerning Religion, and to present their Opinions to the House.

Sir *John Elliot* proposed, first, in general, to consider of the State of the Country, and a Relief for Grievances, &c. 'For Particulars; first, the Consideration of the King's Revenue. Next, an Account how the *Subsidies* and *Fifteenths*, granted the 21. *Jac.* were expended; and therein to include the Examination of the Carriage and Miscarriage of the last Fleet; Misgovernment; Misemployment of the King's Revenues; Miscounselling, &c. and moved for a special Committee to take Consideration thereof.' But happening, in his Speech, to make Use of the Word *Courtier*, he was called upon by another Member to explain it; which he did, but in what Manner is not mentioned.

Resolved, That the Committee on Grievances, of the whole House, shall sit every *Wednesday* and *Friday* during the Parliament, with Power to make a Sub-Committee, and with Power to send for any Persons, Records, &c.—The Committee of the whole House, for Courts of Justice, upon *Tuesday* every Week, with like Power. And, for Trade, upon *Thursday*, every Week, with the same.—Ordered also, That the Committee for Grievances shall take Consideration of all such, exhibited since the Beginning of King *James's* Reign, and how they have been answered and reformed.

These Orders and Resolutions, without one Word of a Supply, shewed but a very unpromising Beginning of this Parliament; and seemed to hint to the Ministry, that, without great Alterations amongst them, little Relief was to be expected from this Body. From the Date above, for several Days together, there is nothing to be found in the *Journals*, but regulating Elections, maintaining Privileges, and some slight Reports, from the

An. 1. Charles I. the several Committees, concerning Grievances in religious and other Matters, &c.
1625.

February 21. It was ordered, ' That the Knights and Burgesſes of every Shire, City, and Burrough, within this Realm, ſhall, upon Conference together, preſent the Names of ſuch Perſons, remaining in Commiſſion, or Place of Government, or Command in the Service for the Wars, or Truſt, contrary to the King's Answer, that either are convicted, or juſtly ſuſpected, for *Papery*. Their Names, in Writing, to be preſented to the Committee for Religion, on the 27th Inſtant, and they to preſent them to the Houſe. The ſame Committee, at their next Sitting, were to take Notice alſo of ſuch as ought to be confined, and yet reſort to the Cities of *London* and *Weſtmiſter*. The Knights and Burgesſes of *Yorksire* and *Northumberland*, were to make Enquiry, and preſent the Names of all ſuch in the Biſhoprick of *Durham*, which yet ſent no Members to Parliament.

The ſame Day, after reading ſome Petitions for Payment of ſome Monies diſburſed for the Maintenance of the *Engliſh* Officers and Forces, under Count *Mansfield*, in the *Low Countries*, a grand Committee was appointed to conſider of thoſe Things; and alſo of the *Three Subſidies* and *Fifteens* formerly granted: To audit the Accounts by a Sub-Committee, who were to prepare them ready for the other's Inſpection.

The Diſburſement of the late Supplies inquired into;

Some of the ſucceeding Days were taken up with reading of Bills, of no great Moment, the Houſe being divided into different Committees; amongſt which, that on Grievances was buſy in hearing Complaints againſt the Prime Miniſter, and examining Witneſſes againſt him: The Reports of which will fall beſt in the Sequel.

February 27. Sir *John Finch* made a Report from the Committee of Privileges and Elections, what they had done in the Caſe of Sir *Edward Coke* afore-mentioned:

mentioned: Wherein many Cases were cited *pro* An. 1. Charles 1.
Et contra, as to the Nature of an High Sheriff for 1625.
 one County being elected Knight of the Shire for
 another. On all which Cases, he said, the Com-
 mittee would give no Opinion; but desired that a
 Search might be made, amongst the Records, for
 more Precedents of the like Nature. But the De-
 bate about this was put off to the 3d of *March*, and
 from thence to another Day; from which Time
 we hear no more of it. In all Probability Sir *Ed-*
ward lost his Seat in the House; for he is no way
 taken Notice of as a Speaker, or otherwise, through-
 out the whole Course of this Session afterwards, ex-
 cept on the Day before the Dissolution of this Par-
 liament; when, on the Question, it was resolved,
 ' That Sir *Edward Coke*, standing, *de Facto*, re-
 turned a Member of that House, should have Pri-
 vilege against a Suit in Chancery, commenced against
 him by the Lady *Clare*.'

Affairs of a higher Nature than the last now be-
 gin to rise; and, what had been long hatching in
 the House of Commons, takes Shape and Life, and
 becomes very formidable against the Minister and
 all his Creatures. The Recital of which not ap-
 appearing, in the *Journals* of either House, clear
 enough to distinguish rightly the particular Move-
 ments of this grand Attack, we shall not follow
 them, as usual, in *Die ad Diem*; but, in general, re-
 late the Source and Ending of this great Affair.

The House of Commons had been busy a long
 Time in getting Materials for exhibiting Articles
 against the Duke: Their Committee on Grievances
 made several Reports; That they had learn'd the
 Reason why our Merchant Ships and Goods were
 seized in *France*, was because our Admirals had sei-
 zed the Goods of that Nation in several Ports of
England, particularly in the Ship called the *Peter*
 of *Newhaven*; which was brought into *Plymouth*
 by Order of the Duke, after the King and Council
 had ordered it to be restored upon a just Claim, and
 the Court of Admiralty had also released her: That

And the Con-
 duct of the Duke
 of Buckingham.

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twenty-three Bags of Silver and eight Bags of Gold, taken out of this Ship, were, by Sir *Francis Stewart*, delivered to the Lord Duke: That, till this Action, the *French* did not begin to seize any *English* Ships or Goods; and that the Duke, having Notice of it, said, He would justify the Stay of the Ship by an express Order from the King.

The Commons
examine the
Council of War.

The next Thing we find, is, That the Commons sent out a particular Warrant, by their Sergeant, to summon the whole Council of War before them, who were appointed to manage the Business for the Relief of the *Palatinate*, and this Question was proposed unto them, 'Whether their Advice was followed, which they gave for the four Ends, mentioned in the Act of Parliament, 21. *Jac.* for which the Money given by that Act was to issue and be applied?' The Names of this Council of War were, the Lord *Carey*, the Lord *Brook*, Lord *Vere*, Lord Viscount *Grandison*, Sir *Robert Maunsel*, Sir *John Ogle*, and Sir *Thomas Button*. The first excused himself by the Weakness and Infirmities then upon him: The next, by his Age, being 72, and having parted with his Places: The Lord *Vere*, the same, by his Absence in the Wars of the *Low Countries*: Lord *Grandison* said, That, since *July* last, they had seldom met, being dispersed by the Sickness; but desired Leave, in a Question of such Consequence, to confer together before they answered: And this was also the Request of the rest. Which was granted, with a special Order of the House to deliver their Answer, personally, in three Days Time. But what they then delivered in, not appearing satisfactory to the House, they were ordered to be examined singly on the Question; but none of them appeared willing to gratify the House in that Particular, except Sir *Robert Maunsel*.

It may not be improper, upon this Occasion, to observe, That, for the better Employment of the Money to be expended in managing of the expected War, the Treasurers and the King's Council for the War, were required to make Oath, *viz.*
The

The Treasurers, 'That none of those Monies should issue out of their Hands, without Warrant from the said Council of War:' And the other, 'That they should make no Warrants for the Payment of any of those Monies, but only for the Ends above mentioned.' And further, 'Should all be accountable for their Doings and Proceedings in that Behalf, to the Commons in Parliament, when they, or any of them, should be thereunto required (u).'

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Whilst this Affair was debating, the King sent a Letter to the Speaker, and a Message, by Sir Richard Weston, to the House; which were as follows:

CHARLES R.

Trusty and Well-beloved, &c.

HAVING assembled the Parliament early in the Beginning of the Year, for the more timely Help and Advice of our People in our great and important Affairs; and having of late, not only by Message, but also of ourself, put our House of Commons in mind of our pressing Occasions, and of the present State of Christendom, wherein they have equal Interest with us, as well in respect of their own former Engagements, as of the common Cause; we shall not need to tell them with what Care and Patience we have, in the Midst of our Necessities, attended their Resolutions; but, because their unseasonable Slowness may produce at home as ill Effects as a Denial, and hazard the whole Estate of Things abroad, we have thought fit, by you the Speaker, to let them know, That, without more Loss of Time, we look for a full and perfect Answer of what they will give for our Supply, according to our Expectation and their Promises; wherein, as we press for nothing beyond the present State and Condition of our Subjects, so will we accept no less than is proportionable to the Greatness and Goodness of the Cause; neither do we press them to a present Resolution in this, with a Purpose to precipitate their Counsels, much less to enter upon their Privileges;

The King's Letter to the Speaker to hasten the Supply.

(u) See Stat. at Large, 21. Jac. Cap. 34.

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1645.

but to shew, that it is unfit to depend any longer upon Uncertainties, whereby the whole Weight of the Affairs of Christendom may break in upon us on the sudden, to our Dishonour, and the Shame of this Nation. And, for the Business at home, we command you to promise them in our Name, that, after they have satisfied us in this our reasonable Demand, we shall not only continue them together at this Time, so long as the Season will permit, but call them shortly again to perfect those necessary Businesses which shall be now left undone; and now we shall willingly apply fit and seasonable Remedies to such just Grievances, which they shall present unto us in a dutiful and mannerly Way, without throwing an ill Odor upon our present Government, or upon the Government of our late blessed Father. And if there be yet who desire to find Fault, we shall think him the wisest Reprehender of Errors past, who, without reflecting backward, can give us Counsel how to settle the present Estate of Things, and to provide for the future Safety and Honour of the Kingdom.

And his Message to the same Purpose by the Chancellor of the Exchequer.

The Heads of the Message, for drawing a more speedy Resolution from the House, concerning the King of Denmark, Count Mansfield, and his Majesty's Army in the Low Countries, were these:

I. ' That his Majesty's Fleet being returned, and the Victuals spent, the Men must of Necessity be discharged, and their Wages paid, or else an assured Mutiny will follow; which may be many ways dangerous at this Time.

II. ' That his Majesty hath made ready about 40 Ships, to be set forth on a second Voyage, to hinder the Enemy, which want only Victuals and some Men; which, without present Supply of Money, cannot be set forth and kept together.

III. ' That the Army which is appointed in every Coast must presently be disbanded, if they be not forthwith supplied with Victuals and Clothes.

IV.

IV. ' That if the Companies of *Ireland*, lately sent thither, be not provided for, instead of defending that Country, they will prove the Authors of Rebellion.

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1625.

V. ' That the Season for providing healthful Victuals will be past, if this Month be neglected.

' And therefore his Majesty commandeth me to tell you, that he desired to know, without further Delay of Time, what Supply you will give him for these his present Occasions, that he may accordingly frame his Course and Counsel.

But all these Motives and Considerations were of small Weight with the Commons. They thought fit, however, some Days after, to return the King an Answer to his Message, which had been prepared by a grand Committee, appointed for that Purpose. This being twice read, was agreed to by the whole House; and, upon the Question, was to be delivered to the King by the Speaker. The Commons Answer, and the King's Replication to it are both preserved by *Rushworth*, in this Form:

Most Gracious Sovereign,

' YOUR Majesty's dutiful and loyal Subjects, the Commons now assembled in Parliament, in all Humility, present unto your Royal Wisdom this their loyal Answer to the Message which your Majesty was pleased, by the Chancellor of your Exchequer, to send unto them, desiring to know, without any further deferring of Time, what Supply they would give to your Majesty, for your present and extraordinary Occasions, that you might accordingly frame your Courses and Counsels. First of all, they most humbly beseech your Majesty to know and rest assured, That no King was ever dearer to his People than your Majesty; no People more zealous to maintain and advance the Honour and Greatness of their King than they; which, as upon all Occasions they shall be ready to express, so especially in the Support of that Cause, where-

' in

The Commons
Answer.

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‘ in your Majesty and your Allies are now justly engaged. And because they cannot doubt, but your Majesty, in your great Wisdom, even out of Justice, and according to the Example of your most famous Predecessors, will be pleased graciously to accept the faithful and necessary Information and Advice of your Parliament, which can have no End but the Service of your Majesty, and Safety of your Realm, in discovering the Causes, and proposing the Remedies of these great Evils, which have occasioned your Majesty’s Wants, and your People’s Grief:

‘ They therefore, in Confidence and full Assurance of Redress therein, do, with one Consent, propose, (tho’, in former Time, such Course hath been unused) that they really intend to assist and supply your Majesty in such a Way, and in so ample a Measure, as may make you safe at home, and feared abroad; for the Dispatch whereof they will use such Diligence, as your Majesty’s pressing and present Occasions shall require.’

His Majesty made this Reply to the Commons Answer.

Mr. Speaker,

The King’s Reply.

THE Answer of the Commons delivered by you, I like well of, and do take it for a full and satisfactory Answer, and I thank them for it; and I hope you will, with all Expedition, take a Course for Performance thereof, the which will turn to your own Good, as well as mine: But for your Clause therein, of presenting of Grievances, I take that but for a Parenthesis in your Speech, and not a Condition; and yet, for Answer to that Part, I will tell you, I will be as willing to hear your Grievances, as my Predecessors have been, so that you will apply yourselves to redress Grievances, and not to enquire after Grievances. I must let you know, that I will not allow any of my Servants to be questioned amongst you, much less such as are of eminent Place, and near

unto

unto me. The old Question was, What shall be done to the Man whom the King will honour? *But now it hath been the Labour of some, to seek what may be done against him whom the King thinks fit to honour. I see you specially aim at the Duke of Buckingham: I wonder what hath so altered your Affections towards him. I do well remember, that, in the last Parliament in my Father's Time, when he was the Instrument to break the Treaties, all of you (and yet I cannot say all, for I know some of you are changed, but yet the House of Commons is always the same) did so much honour and respect him, that all the Honour conferred on him was too little; and what he hath done since to alter and change your Minds, I wot not; but can assure you, he hath not medled, or done any Thing concerning the Public or Commonwealth, but by special Directions and Appointment, and as my Servant; and is so far from gaining or improving his Estate thereby, that I verily think he hath rather impaired the same. I wish you would hasten my Supply, or else it will be worse for yourselves; for, if any Ill happen, I think I shall be the last that shall feel it.)*

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1625.

But the Spirit raised against the Minister could not be conjured down by any Thing the King could do; and no Supply was to be expected till the Duke was given up to public Vengeance. The Commons followed the Chace very warmly against him; and, in some of their Debates, very severe Expressions were used against the Court; particularly Mr. Clement Coke (x) said, *That it was better to die by an Enemy, than to suffer at home.* And another Member, Dr. Turner, a Physician, proposed to the House the following *Queries*, against the Duke, grounded upon public Fame.

Mr. Coke's Reflections on the Duke of Buckingham.

'Whether the Duke, being Admiral, be not the Cause of the Loss of the King's Royalty in the narrow Seas?' *Dr. Turner's Queries against him.*

'Whether the unreasonable, exorbitant, and immense Gifts of Money and Lands, on the Duke and his

(x) Son of Sir Edward Coke.

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Ans. 2. Charles 1. his Relations, be not the Cause of impairing the King's Revenue, and impoverishing the Crown ?
1625.

‘ Whether the Multiplicity of Offices, conferred upon the Duke, and others depending upon him, whereof they were not capable, be not the Cause of the evil Government of this Kingdom ?’

‘ Whether *Recusants*, in general, by a Kind of Connivency, be not born out and increased, by reason the Duke's Mother and Father-in-Law were known *Papists* ?’

‘ Whether the Sale of Offices, Honours, and Places of Judicature, with Ecclesiastical Livings and Promotions, a Scandal and Hurt to the Kingdom, be not thro' the Duke ?’

‘ Whether the Duke's staying at home, being Admiral and General in Chief of the Sea and Land Army, was not the Cause of the bad Success and Overthrow of the late Action ; and whether he gave good Direction for the Conduct of that Design ?’

When Mr. *Coke* spoke those Words, or when these *Queries* were delivered to the House, we are not told ; but the *Journals* inform us, that, the 14th of *March*, the Chancellor of the Exchequer delivered a Message from the King to the House, both concerning the Words spoken by Mr. *Coke*, and the six Articles proposed by Dr. *Turner* against the Duke ; yet they say no farther, than that Mr. *Coke* stood up to clear himself from any ill Intention, tending to Sedition, in the Words ; but *Rushworth* is fuller, and gives us the Substance of the King's Message to the House, as well as Dr. *Turner's* Excuse and Letter thereupon. The Message was in these Words :

All which the King, by a Message, relents.

‘ That his Majesty had taken Notice of a seditious Speech uttered in the House by Mr. *Clement Coke* : The Words are said to be to this Effect, ‘ *That it were better to die by an Enemy, than to suffer at home* : Yet his Majesty, in his Wisdom, hath forborn to take any Course therein, or to send

' send to the House about it, not doubting but the
 ' House would, in due Time, correct such an In-
 ' solence: But his Majesty hath found, that his
 ' Patience hath wrought to an ill Effect, and hath
 ' emboldened one since to do a strange Act, in a
 ' strange Way, and unusual: That is Dr. *Turner*;
 ' who, on *Saturday* last, without any Ground of
 ' Knowledge in himself, or Proof tendered to the
 ' House, made an Enquiry of sundry Articles a-
 ' gainst the Duke of *Buckingham*, as he pretend-
 ' ed; but indeed against the Honour and Govern-
 ' ment of the King and his late Father. This, his
 ' Majesty saith, is such an Example, that he can
 ' by no Means suffer, tho' it were to make En-
 ' quiry of the meanest of his Servants, much less
 ' against one so near unto himself; and doth won-
 ' der at the foolish Impudency of any Man that
 ' can think he should be drawn, out of any End,
 ' to offer such a Sacrifice, much unworthy the
 ' Greatness of a King, and Master of such a Ser-
 ' vant: And therefore his Majesty can no longer
 ' use his wonted Patience, but desireth the Justice
 ' of the House against the Delinquents; not doubt-
 ' ing but such Course will be taken, that he shall
 ' not be constrained to use his regal Authority to
 ' right himself against these two Persons.'

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 1625.

Upon this Message, Dr. *Turner* made a short
 Explanation of himself, desiring to know where-
 with he was charged. ' What he said, he said, the
 House can witness; and what he said, he spake for
 the general Good of the Common Wealth, and
 not upon the least Reflection of any in particular.
 This he thought a Parliamentary Way, warranted
 by antient Precedents. To accuse upon common
 Fame, he finds warranted, first, by the Imperial
Roman Laws, and the Canons of the Church, which
 allowed common Fame sufficient to accuse any
 Man. And they that are learned amongst them
 give two Reasons: First, for Greatness. Next, for
 Cunning. Our Ancestors, within these Walls,
 have done the like, and that to a Duke, the Duke.

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of *Suffolk*, in the Time of *Henry VI.* who was accused upon Fame. And, lastly, he said, Mr. Chancellor himself did present the common Undertakers upon particular Fame; and why he should not have as ample Privilege in this Place, he knew no Reason to the contrary.

The Commons having appointed another Day for the Debate of this Business, in the mean Time came this Letter from Dr. *Turner* to the Speaker.

S I R,

Dr. *Turner's* Excuse.

*THESE Lines first petition you to signify to the Honourable House of Commons, That my Desires are still the same to have made my personal Appearance before you, but my Ability and Strength to perform it are not the same; and therefore that I humbly desire them to excuse me on that Part, and to accept of this my Answer unto the Matter that I shall speak to. I do confess, that, on Saturday last, in the Afternoon, I did deliver in certain Accusations of common Fame, into the House of Parliament, against my Lord Admiral, and that out of so many, all bearing the Signature of Vox Populi, I chose out some few, not because they were greater, or more known Grievances, but because they did seem to direct us to find out the Griever, or the first Cause: For I did think it was then full Time to agree the Agent and the Actions; and that it was Time also to leave considering Grievances in Arbitration. I do now also agree unto you, that which hath been reported unto you by Mr. *Wandesford*; and by that, if you shall think fit, will put myself unto your Censure; hoping, and assuring myself, that you will find my Design to include nothing else within it, but Duty and public Service to my Country; and, also, that my addressing those Accusations to the House of Parliament, shall, by you, be found to be done by a mannerly and Parliamentary Way. But, howsoever, it becomes me to submit my Cause to your Wisdoms and equal Judgments, which I do heartily; and whatsoever you shall please to appoint me, I shall dutifully satisfy. When God shall be pleased to restore me*

me able to attend your Service, I doubt not but to give you an honest Account of all my Actions herein. And, if I shall first go to my Grave, I desire, if you find me clear, the Reputation of an honest Man, and an Englishman, may attend me thereunto. Thus I rest

An. 2. Charles I.
1626.

Your dutiful

To the Hon. Sir Hen-
neage Finch, Speak-
er to the House of
Commons.

and humble Servant,

SAMUEL TURNER.

Notwithstanding the Order for another Hearing of this Matter, there is little or no further Mention made concerning it in the Journals, till many Days after, when the House came to debate on the Basis of Dr. Turner's Queries, *Whether common Fame was a sufficient Ground for Accusation?*

Upon this, April 22. a long Debate ensued in the House on the Question. Mr. Maliet began, and said, 'That the Question, *Whether common Fame was a Ground sufficient for the Commons House of Parliament to proceed upon*, required great Consideration. That he was against it; tho', he confess'd, he had seen few original Precedents in the Case. But the Point, Whether an Accusation upon common Fame be to be entertained there, and from thence transmitted to the Lords, he was against, for these Reasons: *First*, Because it would disadvantage the Party accused; considering that he must answer the Fame as well as the Accusation. *Next*, Whosoever is accused here, and cleared, is, by the Justice of this House, to have Remedy against the Accuser; which, by this Course, he will want.'

Debate on the 2d
fore said Queries.

'In the 7th of Richard II. an Accusation of Bribery was made against the Chancellor, by Cavendish: The Complaint being found false, he was adjudged to pay a Fine of 3000 Marks, to be imprisoned, &c.'

'In the 17th of the same Reign, a Complaint was made by the Earl of Arundel against the Duke of Lancaster. He was acquitted, and the Duke

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An. 2. Charles I. 1626. ordered, in Parliament, to have Satisfaction from *Arundel.*

‘That if this had been an Use in Parliament, it would, from thence, have been derived to other Courts; whereas no Temporal Court hath ever used it, except in Cases Capital, as in that of *Michael de la Pole*. So, in the Case of *Recusants*, he thought it might be lawful; because the Recusant, tho’ indicted, yet, conforming and taking the Oaths, is freed from all Penalties of the Law. But this was not the Case in Question.’

‘If this was calculated to prevent a Mischief, it might be tolerated; but, on the contrary, here, where it tends to Judgment. This, he said, was not like the Enquiry of a Grand Jury; yet no Grand Jury, except in the Case of *Recusants*, proceedeth upon common Fame, without other Proof. He likened the Resemblance of it to a double Judgment on Account; where the first Judgment must be grounded on a Verdict of Confession. Doubted this Precedent might be dangerous to inferior Temporal Courts, by way of Imitation.’

‘That Petitions to this House for a Grievance are in Writing, the Petitioners present, and their Hands unto it. Lastly, he said, he remembered the Case of the Bishop of *Lincoln*, 12. *Jar.* which, upon special Reason, as concerning the Honour of this House, and for which they could have no other Ground of Proof, was yet rejected, because it had no other Ground.’

This Speech was answered, first, by Mr. *Wyld*; who quoted *Bracton*, ‘That all Suspensions, grounded upon Fame, were to be regarded. That some Presumptions admit Proof to the contrary, others not: But that this Fame must arise amongst the better Sort. All our Law-Books concur in this Point, That an Act must first be done, and the Fame rise in the County where it was done. This is a good Ground for arresting upon any Felony; as Murder, Robbery, &c. and quoted several Acts of Parliament to prove it.’

Mr.

Mr. Littleton said, ' That this was not a House of definitive Judgment, but of Information, Denunciation, or Presentment, for which common Fame was sufficient. That there was a great Difference between common Fame and Rumour: The general Voice was common Fame; and, *Vox Populi, Vox Dei*. By the 14th of Edward II. common Fame was more than the Saying of one Man; for that it was the Voice of many. That common Fame was a good Ground of Imprisonment for Treason or Felony, by the 27th of Elizabeth; but the Person cannot then be said to be either a Felon or a Traitor.'

An. 2. Charles I.
1626.

' That, in other States, antient and modern, Men had been not only accused, but condemned, by common Fame. He quoted Precedents; of the Duke of Suffolk's Case, 28th Henry VI. the Duke of Somerset's, 29th Henry VI. and the Bishop of Lincoln's Case, in the 12th of James. Concluded, That a Man, accused by common Fame, is to answer only to the Accusation, and not the Fame.'

Mr. Browne, on the same Side, argued, ' That Accusation was to be allowed, but not Calumniation: Calumniation is, in an unfit Place, to lay an Aspersion. That common Fame was called, by Civilians, *Semiplena Probatio*, arising out of apparent Signs. If a private Man accuse, and it be found false, he is liable to Punishment; because he had nothing to do in it: But, where a Member of this House does it, *libere licet Accusatio*, if the Place be proper for it; otherwise, not: Therefore, an Accusation, in this House, proper. That there was no Subject, how great soever, but what is questionable here, if he be grievous to the Common-Wealth: So, in all former Precedents; and this the only Place in which to question great Men.'

Sir Thomas Wentworth said, ' That if they could not present to the Lords upon common Fame, yet they might enquire and accuse, in that House, upon it. That this was the only Safeguard for Accusation of great Men; whereas, in all others, no Man dare accuse them for Fear of Danger. Men

An. 3. Charles I.
1626.

of evil Fame were notailable; but to be bound to good Behaviour by Act of Parliament. If common Fame was sufficient for Treason and Felony, it was much more so in lesser Offences. And *Scandalum Magnatum* lieth not, where a Man can bring forth but one Author.'

Mr. *Selden* spoke next in this Debate, and argued, ' That the Question was now only, Whether this House may proceed to transmit to the Lords upon common Fame? And surely they might, else no great Man shall be accused, by any Particular, for Fear of Danger. The Faults of the Gods were not to be told, till the Goddess *Fame* was born. *De eo male creditur*, is put into Indictments for Murder. That this Course of Accusation was held in all the Courts in *Christendom*. That these Cases were to be ruled by the Law of Parliaments, and not either by the Common or Civil Law. In the Case of the Duke of *Suffolk*, 28th *Henry VI.* there was a general Rumour and Noise of great Offences done against the State. The Commons, taking Notice thereof, acquainted the Lords with that general Rumour, praying them he might be committed to the *Tower*; which the Lords, upon Consultation with the Judges, refused; because the Charge was only general: Thereupon the Commons instanced, in one Particular, That the *French King* was ready to invade the Kingdom thro' his Default; whereupon he was presently committed. In the Duke of *Somerset's* Case, 29th *Henry VI.* the like Clamour upon common Fame, and the Parties complained of were removed from their Offices.'

Mr. *Rolle* said, ' The Commons may present a Lord of the Higher House to the Lords; for he is not compellable to answer in this: And, if we cannot present upon common Fame, he can never be drawn to answer. If the Offence tend to Felony or Treason, the Commons may pray to have him committed, in respect to the Quality of the Fact; but it is otherwise in smaller Offences. In the 5th of *Henry IV.* a Complaint was made against the King's

King's Confessor, and some others: Hereupon the Lords ordered they should be removed from about the King. And the King, in Parliament, tho' he knew no Cause particularly, yet, because the Lords and Commons had thought them unfitting, he there commanded them to come no more near him; and that if there was any others, against whom the Lords and Commons had Indignation, he would remove them also (y).
An. 2. Charles I.
1626.

Mr. *Sherland* argued, ' That, in a Case where there was *probabilis Causa litigandi*, no Damages were ever awarded. That common Fame was allowed to be *sempierna Probatio*. That the Life and Soul of the Common-Wealth was of greater Respect than Felony. He said, there was as well a real Treason as a legal Treason; the first tantamount to the other: Therefore common Fame was a sufficient Ground in this Case, as well as for Felony.'

The last who spoke in this Debate, on the same Side, was Mr. *Noy*, who said, ' That Men bound by Recognizance were sometimes imprison'd on common Fame. That this House could but enquire, they had no other Jurisdiction; for they were no Church Wardens nor Grand Jury. And it was wrong he said, that the Fault should go unpunished, because no Man durst accuse. The Grounds for an Enquiry were two; the first, common Fame; the next, whether that Fame be true. That they ought not to transmit without the first be common; but without the particular Enquiry they might: For it might happen they could not get Witnesses; supposing the Witnesses to be of the House of Lords.'

It is easy to see, by the Course of this Debate, that the Duke had few Advocates in the House of Commons. We do not even find that the State-Officers in that House said any Thing in his Favour; only we are told, that the Chancellor of the Dutchy being asked his Opinion, gave it against this Proceeding by common Fame.

Upon

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Upon the whole the Question was put, 'Whether common Fame was a good Ground of proceeding, either to enquire of it there, or transmit the Complaint, if the House think fit, to the King or the Lords?' It was carried in the Affirmative by a great Majority.

The Commons
resolve to proceed
against the Duke
of Buckingham;

This *Remora* being put by, the Commons then proceeded with great Vigour against the Duke. Several Committees, appointed for particular Enquiries into his Conduct, brought in their Reports, and many Votes and Resolutions were taken upon them; which we shall postpone till we come to the general Charge against him. But, amongst the rest of the Committees, there was one appointed to consider of a Supply to be granted to the King; and, *March 27*, Sir *Dudley Digges* made the Report from it. The same Day it was resolved upon the Question, 'That three *Subsidies* and three *Fifteens* should be granted to his Majesty in this Session of Parliament, payable at three separate Times; the Bill to be brought in, when they had presented their Grievances, and received his Answer to them.'

And also to grant
a Supply.

Debate on the
Duke's Affair.

Hand in Hand with the Supply went the Commons Proceedings against the Duke. *Rushworth* informs us of one Day's Debate on that Matter; and that Sir *W. Walter*, if his Name be not mistaken in those Collections (z), represented to the House, 'That the Cause of all their Grievances was, because, as it was said of *Lewis XI. of France*, *All the King's Council rides upon one Horse*: Therefore the Parliament was to advise his Majesty, as *Jethro* did *Moses*, to take unto him Assistants with these Qualities:

1. 'Noble, from amongst all the People; not Upstarts, and of a Night's Growth.'
2. 'Men of Courage; such as will execute their own Places, and not commit them to base and undeserving Deputies.'
3. 'Fearing God; who halt not betwixt two Opinions, or incline to false Worship, in respect of a Mother, Wife, or Father.'

4. 'Deal

(z) More probably Sir *William Waller*.

4. '*Dealing truly* ; for Courtship, Flattery, and Pretence, become not King's Counsellors ; but they must be such as the King and Kingdom may trust.'

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1626.

5. '*Hating Covetousness* ; no Bribers, or Sellers of Places in Church or Common-Wealth, much less Honours and Places about the King, and least of all such as live upon other Men's Ruins.'

6. 'They should be *many*, set over Thousands, Hundreds, Fifties, and Tens, one Man not engrossing all. Where there is Abundance of Counsel, there is Peace and Safety.'

7. 'They must judge of *small Matters* ; the greater must go to the King himself, not all to the Council ; much less any one Counsellor must alone manage the whole Weight ; but royal Actions must be done only by the King.'

Lastly, '*Moses* chose them *Elders*, not young Men. *Solomon*, by Miracle and Revelation, was wise, being young ; but neither his Son, nor his young Counsellors, had that Privilege : No more is it expected in any of our Counsellors, untill, by Age and Experience, they have attained it.'

Sir *John Elliot* continued the Debate, and thus spake : ' We have had, says he, a Representation of great Fear ; but, I hope, that shall not darken our Understandings. There are but two Things considerable in this Business : *First*, The Occasion of our Meeting : And, *secondly*, The present State of our own Country. The first of these we all know, and it hath at large been made known unto us, and therefore needeth no Dispute. The latter of these we ought to make known, and draw and shew it, as in a Perspective, in this House : For our Wills and Affections were never more clear, more ready as to his Majesty ; but, perhaps, baulk'd and check'd in our Forwardness, by those the King intrusts with the Affairs of the Kingdom. The last Action was the King's first Action ; and the first Actions and Designs of Kings are of great Observance in the Eye of the World ; for thereon much dependeth the Esteem or Disesteem of their future Proceedings.

And

An. 2. Charles I.
1626.

And, in this Action, the King and Kingdom have suffered much Dishonour: We are weaken'd in our Strength and Safety, and many of our Men and Ships are lost. This great Design was fix'd on the Person of the Lord General, who had the whole Command both by Sea and Land: And can this great General think it sufficient to put in his Deputy and stay at home? Count *Mansfield's* Actions were so miserable, and the going out of those Men so ill managed, as we are scarce able to say they went out. That handful of Men sent to the *Palatinate*, and not seconded, what a Loss was it to all *Germany*? We know well who had then the King's Ear. I could speak of the Action of *Algier*; but I will not look so far backward. Are not Honours now sold, and made despicable? Are not judicial Places sold? And do not they then sell Justice again? *Vendere Jure potest, emerat ille prius.* *Tully*, in an Oration against *Verres*, notes, That the Nations were Suitors to the Senate of *Rome*, that the Law, *de Pecuniis repetundis*, might be recalled: Which seems strange, that those that were Suitors for the Law, should seek again to repeal it; but the Reason was, it was perverted to their Ill. So it is now with us; besides inferior and subordinate Persons that must have Gratuities, they must now feed their great Patrons.

‘I shall, to our present Case, cite two Precedents: The first is 11. *Henry III.* The Treasure was then much exhausted; many Disorders complained on; the King wronged by some Ministers; many Subsidies were then demanded in Parliament, but they were denied: And then the Lords and Commons joined to desire the King to re-assume the Lands which were improvidently granted, and to examine his great Officers, and the Causes of those Evils which the People then suffered. This was yielded unto by the King, and *Hugh de Burgo* was found faulty, and was displaced; and then the Commons, in the same Parliament, gave Supply. The second Precedent was in the tenth Year of *Richard II.* Then the
Times

Times were such, and Places so changeable, that any great Officer could hardly fit to be warm'd in his Place. Then also Monies had been formerly given, and Supply was at that Parliament required : The Commons denied Supply, and complained that their Monies were misemployed ; that the Earl of *Suffolk* [*Michael de la Pole*] then over-ruled all ; and so their Answer was, *They could not give*. And they petitioned the King, that a Commission might be granted, and that the Earl of *Suffolk* might be examined. A Commission, at their Request, was awarded ; and that Commission recites all the Evil then complained of, and that the King, upon the Petition of the Lords and Commons, had granted that Examination should be taken of the Crown Lands which were sold ; of the ordering of his Household ; and the Disposition of the Jewels of his Grand-Father and Father. I hear nothing said in this House of our Jewels, nor will I speak of them ; but I could wish they were within these Walls. We are now in the same Case with those former Times ; we suffer alike, or worse : And therefore, unless we seek Redress of these great Evils, we shall find Disability in the Wills of the People to grant. I wish therefore, that we may hold a dutiful Pursuance in preparing and presenting our Grievances : For the three *Subsidies* and three *Fifteens* which are proposed, I hold the Proportion will not suit with what we would give ; but yet I know it is all we are able to do, or can give ; and yet this is not to be the Stint of our Affections, but to come again, to give more upon just Occasions.

An. 2. Charles 1.
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March 28. The King sent a Message to both Houses to require their Attendance on him, at *Whitehall*, the next Day, at Nine o'Clock ; and, in the mean Time, all Proceedings in the House and in Committees were to cease. Accordingly the Lords and Commons went thither, to whom his Majesty made the ensuing Speech ;

The King commands the Attendance of both Houses.

My

An. 2. Charles I.
1626.

My Lords and Gentlemen,

His Speech to
them.

I Have called you hither To-day, I mean both Houses of Parliament; but it is for several and distinct Reasons. My Lords, you of the Upper House, to give you Thanks for the Care of the State of the Kingdom now; and not only for the Care of your own Proceedings, but inciting your Fellow-House of the Commons to take that into their Consideration: Therefore, my Lords, I must not only give you Thanks, but I must also avow, That if this Parliament do not redound to the Good of this Kingdom, (which I pray God it may) it is not your Faults. And you, Gentlemen of the House of Commons, I am sorry that I may not justly give the same Thanks to you; but that I must tell you, that I am come here to shew you your Errors; and, as I may call it, Unparliamentary Proceedings in this Parliament: But I do not despair, because you shall see your Faults so clearly by the Lord Keeper, that you may so amend your Proceeding, that this Parliament shall end comfortably and happily, tho' at the Beginning it hath had some Rubs.

Then the Lord Keeper, by the King's Command, spoke next.

My Lords, and you Knights, Citizens, and Burgeses of the House of Commons,

And the Lord
Keeper's.

YOU are here assembled by his Majesty's Command, to receive a Declaration of his Royal Pleasure; which, altho' it be intended only to the House of Commons, yet his Majesty hath thought meet, the Matter being of great Weight and Importance, it should be delivered in the Presence of both Houses, and both Houses make one general Council. And his Majesty is willing that the Lords should be Witnesses of the Honour and Justice of his Resolutions. And therefore the Errand which, by his Majesty's Direction, I must deliver, hath Relation to the House
of

of Commons. I must address myself therefore An. 2. Charles I.
1626.
to you, Mr. Speaker, and the rest of that House.

And, first, his Majesty would have you to understand, That there was never any King more loving to his People, or better affectioned to the right Use of Parliaments, than his Majesty hath approved himself to be; not only by his long Patience since the sitting down of this Parliament, but by those mild and calm Directions, which, from Time to Time, that House hath received by Message and Letter, and from his Royal Mouth, when the irregular Humours of some particular Persons wrought Diversions and Distractions there, to the Disturbance of those great and weighty Affairs, which the Necessity of the Times, the Honour and Safety of the King and Kingdom, called upon: And therefore his Majesty doth assure you, that when these great Affairs are settled, and that his Majesty hath received Satisfaction of his reasonable Demands, he will, as a just King, hear and answer your just Grievances, which, in a dutiful Way, shall be presented unto him; and this his Majesty doth avow.

Next, his Majesty would have you to know of a surety, That, as never any King was more loving to his People, nor better affectioned to the right Use of Parliaments; so never King was more jealous of his Honour, nor more sensible of the Neglect and Contempt of his Royal Rights, which his Majesty will by no Means suffer to be violated by any pretended Colour of Parliamentary Liberty; wherein his Majesty doth not forget, that the Parliament is his Council, and therefore ought to have the Liberty of a Council; but his Majesty understands the Difference betwixt Council and Controlling, and between Liberty and the Abuse of Liberty.

This being set down in general, his Majesty hath commanded me to relate some particular Passages and Proceedings, whereat he finds himself aggrieved.

First,

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‘ *First*, Whereas a seditious Speech was uttered amongst you by Mr. *Coke*, the House did not, as they ought to do, censure and correct him. And when his Majesty, understanding it, did, by a Message, by Mr. Chancellor of the Exchequer deliver’d to the House, require Justice of you; his Majesty hath since found nothing but protracting and Delays. This his Majesty holds not agreeable to the Wisdom and the Duty which he expected from the House of Commons.

‘ *Secondly*, Whereas Dr. *Turner*, in a strange Unparliamentary Way, without any Ground of Knowledge in himself, or offering any particular Proof to the House, did take upon him to advise the House to enquire upon sundry Articles against the Duke of *Buckingham*, as he pretended; but, in Truth, to wound the Honour and Government of his Majesty, and of his renown’d Father; and his Majesty, first, by a Message, and, after, by his own Royal Mouth, did declare, That that Course of Enquiry was an Example, which by no way he could suffer, tho’ it were against his meanest Servant, much less against one so near him; and that his Majesty did much wonder at the foolish Insolency of any Man that can think, that his Majesty should be drawn, out of any End, to offer such a Sacrifice, so unworthy of a King, or a good Master; yet, for all this, you have been so far from correcting the Insolency of *Turner*, that, ever since that Time, your Committees have walked in the Steps of *Turner*, and proceeded in an Unparliamentary Inquisition; running upon Generals, and repeating that whereof you have made Fame the Ground-Work. Here his Majesty hath Cause to be exceeding sensible, that, upon every Particular, he finds the Honour of his Father stain’d and blemish’d, and his own no less; and, withall, you have manifested a great Forwardness rather to pluck out of his Bosom those who are near about him, and whom his Majesty hath Cause to affect, than to trust his Majesty with the future
‘ Re-

‘ Reformation of these Things which you seem to
‘ aim at : And yet you cannot deny, but his Ma-
‘ jesty hath wrought a greater Reformation in Mat-
‘ ters of Religion, Execution of the Laws, and
‘ concerning Things of great Importance, than
‘ the Shortness of his Reign (in which he hath
‘ been hindred, partly thro’ Sickness, and the Di-
‘ straction of Things, which we could have wish-
‘ ed had been otherwise) could produce.

‘ Concerning the Duke of *Buckingham*, his Ma-
‘ jesty hath commanded me to tell you, That him-
‘ self doth better know than any Man living
‘ the Sincerity of the Duke’s Proceedings ; with
‘ what Cautions of Weight and Discretion he hath
‘ been guided in his public Employments from his
‘ Majesty and his blessed Father ; what Enemies he
‘ hath procured at home and abroad ; what Peril
‘ of his Person, and Hazard of his Estate he ran
‘ into for the Service of his Majesty, and his ever
‘ blessed Father ; and how forward he hath been
‘ in the Service of this House many Times since
‘ his Return from *Spain* : And therefore his Ma-
‘ jesty cannot believe that the Aim is at the Duke
‘ of *Buckingham* ; but findeth, that these Proceed-
‘ ings do directly wound the Honour and Judg-
‘ ment of himself, and of his Father. It is there-
‘ fore his Majesty’s express and final Command-
‘ ment, That you yield Obedience unto those Di-
‘ rections which you have formerly received, and
‘ cease this Unparliamentary Inquisition ; and com-
‘ mit unto his Majesty’s Care, and Wisdom, and
‘ Justice, the future Reformation of these Things,
‘ which you suppose to be otherwise than they
‘ should be. And his Majesty is resolved, that,
‘ before the End of this Session, he will set such a
‘ Course, both for the amending of any Thing
‘ that may be found amiss, and for the settling of
‘ his own Estate, as he doubteth not but will give
‘ you ample Satisfaction and Comfort.

‘ Next to this, his Majesty takes Notice, That
‘ you have suffered the greatest Council of State to
‘ be

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‘ be censured and traduced in the House, by Men
‘ whose Years and Education cannot attain to that
‘ Depth: That foreign Businesses have been en-
‘ tertained in the House, to the Hinderance and
‘ Disadvantage of his Majesty’s Negotiations: That
‘ the same Year, yea, the first Day of his Maje-
‘ sty’s Inauguration, you suffered his Council, Go-
‘ vernment, and Servants to be paralell’d with the
‘ Times of most Exception: That your Commit-
‘ tees have presumed to examine the Letters of
‘ Secretaries of State, nay, his own; and sent a
‘ general Warrant to his Signet-Office, and com-
‘ manded his Officers, not only to produce and
‘ shew the Records, but their Books and private
‘ Notes, which they made for his Majesty’s Ser-
‘ vice. This his Majesty holds as unsufferable, as
‘ it was in former Times unusual.

‘ Next I am to speak concerning your Supply of
‘ Three *Subsidies* and Three *Fifteenths*, which you
‘ have agreed to tender to his Majesty. You have
‘ been made acquainted with the Greatness of his
‘ Affairs, both at home and abroad; with the
‘ strong Preparation of the Enemy; with the Im-
‘ portance of upholding his Allies, strengthening
‘ and securing both *England* and *Ireland*; besides the
‘ encountering and annoying the Enemy by a pow-
‘ erful Fleet at Sea, and the Charge of all: This
‘ having been calculated unto you, you have pro-
‘ fessed unto his Majesty, by the Mouth of your
‘ Speaker, your Carefulness to support the Cause
‘ wherein his Majesty and his Allies are justly en-
‘ gaged; your unanimous Consent and real Inten-
‘ tion to supply his Majesty in such a Measure
‘ as should make him safe at home, and feared
‘ abroad; and that, in the Dispatch hereof, you
‘ would use such Diligence, as his Majesty’s pre-
‘ ssing and present Occasions did require.

‘ And now his Majesty having erected a Pro-
‘ ceeding suitable to this Engagement, he doth ob-
‘ serve, that, in two Days only of twelve, this
‘ Business was thought of; and not begun, till his
‘ Ma-

‘ Majesty, by a Message, put you in mind of it; An. 2. Charles Is
‘ whilst your Inquisition, against his Majesty’s Di- 1626.
‘ rection, proceeded Day by Day.

‘ And, for the Measure of this Supply, his Ma-
‘ jesty findeth it so far from making himself safe
‘ at home, and feared abroad, as, contrarywise, it
‘ exposeth him both to Danger and Disesteem;
‘ for his Majesty cannot expect, without better
‘ Help, but that his Allies must presently disband,
‘ and leave him alone to bear the Fury of a pro-
‘ voked and powerful Enemy; so as both he and
‘ you shall be unsafe at home, and ashamed and
‘ despised abroad. And for the Manner of the
‘ Supply, it is in itself very dishonourable, and full
‘ of Distrust; for although you have avoided the
‘ literal Word of a Condition, whereof his Majesty
‘ himself did warn you, when he told you of your
‘ Parenthesis; yet you have put to it the Effect of
‘ a Condition; since the Bill is not come into your
‘ House, untill your Grievances be both preferred
‘ and answered. No such Thing was in that Ex-
‘ pression and Engagement delivered by your Speak-
‘ er, from which his Majesty holdeth that you
‘ have receded both in Matter and Manner, to
‘ his great Disadvantage and Dishonour. And
‘ therefore his Majesty commandeth, that you go
‘ together, and by *Saturday* next, return your final
‘ Answer, what further Supply you will add to
‘ this you have already agreed on; and that to be
‘ without Condition, either directly or indirectly,
‘ for the Supply of these great and important Af-
‘ fairs of his Majesty; which, for the Reasons for-
‘ merly made known unto you, can endure no
‘ longer Delay; and, if you shall not by that Time
‘ resolve on a more ample Supply, his Majesty
‘ cannot expect a Supply this Way, nor promise
‘ you to sit longer together; otherwise, if you do
‘ it, his Majesty is well content, that you shall sit
‘ so long as the Season of the Year will permit;
‘ and doth assure you, that the present Addition to
‘ your Supply to set forward the Work, shall be no
‘ Hindrance to your speedy Access again.

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‘ His Majesty hath commanded me to add this,
‘ That therein he doth expect your chearful Obedience, which will put a happy Issue to this
‘ Meeting, and will enable his Majesty not only to
‘ a defensive War, but to employ his Subjects in
‘ foreign Actions, whereby will be added to them
‘ both Experience, Safety and Honour.

‘ Last of all, his Majesty hath commanded me,
‘ in Explanation of the gracious Goodness of his
‘ Royal Intention, to say unto you, That he doth
‘ well know, that there are among you many wise
‘ and well tempered Men, well affected to the Publick, and to his Majesty’s Service; and that those
‘ that are willingly faulty are not many: And,
‘ for the rest, his Majesty doubteth not, but, after
‘ his gracious Admonition, they will, in due Time,
‘ observe and follow the better Sort; which, if
‘ they shall do, his Majesty is most ready to forget
‘ whatsoever is past.

Then his Majesty spake again,

The King’s further Speech.

I *Must withall put you in mind a little of Time past; you may remember, that, in the Time of my blessed Father, you did, with your Counsel and Persuasion, persuade both my Father and me to break off the Treaty; I confess I was your Instrument for two Reasons; one was, the Fitness of the Time; the other, because I was seconded by so great and worthy a Body as the whole Body of Parliament: Then there was no body in so great Favour with you, as this Man whom you seem now to touch, but indeed, my Father’s Government and mine. Now that you have all Things according to your Wishes, and that I am so far engaged that you think there is no Retreat; now you begin to set the Dice, and make your own Game: But, I pray you be not deceived, it is not a Parliamentary Way, nor it is not a Way to deal with a King.*

Mr. Coke told you, It was better to be eaten up by a Foreign Enemy, than to be destroyed at Home. Indeed I think it more Honour for a King to be invaded, and almost destroyed by a Foreign Enemy, than to be despised by his own Subjects.

Remem-

Remember, that Parliaments are altogether in my Power for their Calling, Sitting, and Dissolution; therefore as I find the Fruits of them good or evil, they are to continue, or not to be: And, remember, that, if in this Time, instead of mending your Errors, by Delay you persist in your Errors, you make them greater, and irreconcilable: Whereas, on the other Side, if you do go on chearfully to mend them, and look to the distressed State of Christendom, and the Affairs of the Kingdom, as it lieth now by this great Engagement; you will do yourselves Honour, you shall encourage me to go on with Parliaments, and, I hope, all Christendom shall feel the Good of it.

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The King being, very soon after this, informed that some Things in his own Speeches and others in the Lord Keeper's were subject to Misunderstanding, was willing to have them explained. A Message from the Lords was sent down to the lower House, March the 30th, to desire a Conference with them, immediately, in the Painted-Chamber. Which, being accepted of, the Duke of Buckingham, as ordered by his Majesty, made the following Declaration:

Whereas it is objected by some, who wish good Correspondency betwixt the King and People, that to prefix a Day to give or to break, was an unusual Thing, and might express an Inclination in the King to break; to remove this, as his Majesty was free from such Thoughts, he hath descended to make this Explanation.

The Duke of Buckingham explains some Misapprehensions of the King's and the Lord Keeper's Speeches.

That as his Majesty would not have you condition with him directly or indirectly, so he will not lie to a Day, for giving further Supply; but it was the pressing Occasion of Christendom that made him to pitch upon a Day.

His Majesty hath here a Servant of the King of Denmark, and another from the Duke of Weymer; and Yesterday received a Letter from his Sister the Queen of Bohemia, who signified that the King of Denmark hath sent an Ambas-

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‘ fador, with Power to perfect the Contract which
‘ was made at the *Hague* ; so it was not the King,
‘ but Time, and the Things themselves that pressed
‘ a Time.

‘ Therefore his Majesty is pleased to give longer
‘ Time, hoping you will not give him Cause to
‘ put you in Mind of it again ; so that you have a
‘ greater Latitude, if the Business require to think
‘ further of it.

‘ I am commanded further to tell you, that if
‘ his Majesty should accept of a less Sum than will
‘ suffice, it will deceive your Expectations, disap-
‘ point his Allies, and consume the Treasure of the
‘ Kingdom ; whereas, if you give largely now,
‘ the Business being at the Crisis, it comes so sea-
‘ sonably, it may give a Turn to the Affairs of
‘ *Christendom*.

‘ But while we delay and suffer the Time to
‘ pass, others abroad will take Advantage of it, as
‘ the King of *Spain* hath done, by concluding a
‘ Peace, as ’tis thought, in *Italy*, for the *Valtoline* ;
‘ whereby our Work is become the greater, because
‘ there can be no Diversion that Way.

‘ As it was a good Rule to fear all Things and
‘ nothing, and to be liberal was sometimes to be
‘ thrifty ; so in this Particular, if you give largely,
‘ you shall carry the War to the Enemy’s Door,
‘ and keep that Peace at Home that hath been :
‘ Whereas, on the contrary, if you draw the War
‘ Home, it brings with it nothing but Distur-
‘ bance and Fear, all Courses of Justice stopp’d,
‘ and each Man’s Revenue lessened, and nothing
‘ that can be profitable.

‘ Another Explanation I am commanded to
‘ make, touching the Grievances ; wherein his
‘ Majesty means no way to interrupt your Pro-
‘ ceedings, but hopes you will proceed in the an-
‘ tient Ways of your Predecessors ; and not so
‘ much seek Faults, as the Means to redress them.

‘ I am further commanded to tell you, That
‘ his Majesty intends to elect a Committee of both
‘ Houses, whom he will trust to take the View of
‘ his

his Estate, the Defects of which are not fit for
 the Eyes of a Multitude; and this Committee
 will be for your Ease, and may satisfy you,
 without casting any ill Odour on his Govern-
 ment, or laying open any Weakness that may bring
 Shame upon us abroad. That which is proposed
 is so little, that when the Payment comes, it
 will bring him to a worse Estate than now he is
 in; therefore wishes You to enlarge it, but leaves
 the Augmentation to Yourselves; but is sorry,
 and touch'd in Conscience, that the Burthen
 should lie on the poorest, who want too much
 already; yet he will not prescribe, but wish that
 you, who were the Abettors and Counsellors of
 this War, would take a greater Part of the Burthen
 to yourselves; and any Man that can find out
 that Way, shall shew himself best affected, and
 do the best Service to the King and State.

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The Duke then made his Address to them in his
 own Behalf.

My Lords and Gentlemen,

YOU were all Witnesses Yesterday how good
 and gracious a Master I serve; and I shall
 likewise be glad that you be Witnesses how thank-
 ful a Heart I have.

And also vindi-
 cates himself.

And, I protest, I have a Heart as full of Zeal to
 serve my Master, as any Man; and it hath been
 my Study to keep a good Correspondency betwixt
 the King and his People: And, whatever Thought
 hath been entertain'd of me, I shall not alien my
 Heart from that Intention, but shall add Spurs to
 my Endeavours and Actions, to vindicate myself
 from ill Opinion.

And however I lie under the Burden of the
 same, it lies in your Hands to make me happy
 or not; and, for my Part, I wish my Heart and
 Actions were known to you all; then, I assure
 myself, you would resume me to your good
 Opinions.

When I had, with some Hazard, waited on
 my Master into Spain, it is well known what
 Testimony I gave of my Religion; and no Man

that

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‘ that comes to a true and near View of my Ac-
‘ tions, can justly charge me. Let me be excused
‘ if I give Account of this Particular, when I
‘ should speak of the General; for this goes near
‘ my Heart, and to dissemble with my Consci-
‘ ence, no Ends of Fortunes in the World can
‘ make me do it: For, if I had any ill Inclina-
‘ tion, I had such Offers made to me in *Spain*, as
‘ might have tempted me.

‘ If I would have been converted myself, I
‘ might have had the *Infanta* put in my Master’s
‘ Bed; and, if my Discontent should have risen
‘ here, I might have had an Army to have come
‘ with me: But I thought the Offer foolish, ri-
‘ diculous and scornful, in that Point of Religion.

‘ I will now take the Boldness to speak a little
‘ in the general Business; and I call it Boldness to
‘ speak after one who did so well the other Day:
‘ But I had rather suffer in my own Particular,
‘ than not refresh your Memories with that which
‘ is materially needful.

‘ I shall not need to reflect so far back as to the
‘ Beginning of those Counsels which engaged my
‘ Master into the War, they are all well known;
‘ only I will so far touch it, as to say, that the
‘ last Year’s Preparations were not voluntary, or
‘ out of Wantonness, but out of Necessity.

‘ My Master had good Intelligence that the King
‘ of *Spain*’s Eye was maliciously bent this Way,
‘ which had been pursued accordingly, if the Em-
‘ ployment of the *Low-Country-Men* to the Bay
‘ of *Todos los Santos* had not diverted it.

‘ Now, for the Counsel which was used in send-
‘ ing out the Fleets, I will refer you to the Rela-
‘ tion of the Lord *Conway*; who, as well in this as
‘ other Resolutions, can tell you, that nothing was
‘ carried with single Counsels: And, for myself,
‘ I know, that in all those Actions, no Man can
‘ stand up against me, to say, that I ever did go
‘ with single Counsels, or made Breach of any;
‘ but have been an obedient Servant and Minister
‘ unto their Resolutions: The Proof whereof will
‘ appear

appear in a Journal thereof, which my Lord Conway keeps. An. 2. Charles I.
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‘ I confess all Counsels were not ever as yourselves would, nor have wished they should; if you had known them as my Master did, in whom the former Affairs of State had bred such Affections, that the Business being altered, they were not to be trusted with the Change.

‘ I will now give you an Account of all my Negotiations, since my being at *Oxford*, both at home and abroad; and because there it was charged, that those Things were carried with single Counsels, I was more careful to advise the King to have his Council with him in the Country, being to enter into War with an active King.

‘ And, for my Part, I did diligently wait on the Council, left all Recreations, all personal Occasions, studying to serve my Master, and to gain the good Opinion of both Houses. / The Council of *Woodstock* generally advised the going-out of the Fleet; and tho’ it were objected, that the Season were not fit, yet the Action shewed the contrary, for they all arrived in Safety. And for what was also objected, that the Provision was not good, Experience tells you the contrary; for the Preparations were all good in Quality and Proportion.

‘ And if the Success were not such as any honest Man could wish, I hope I shall not be blamed, not being there in Person, though I made the greatest Suit for it to my Master, that ever I did for any thing: But his Majesty thought my Service more useful in the *Low Countries*, to comfort his Sister, and to treat with the Kings of *Denmark, Sweden* and the *States*.

‘ And though the Success (as I said) of the Fleet, were not answerable to the Desires of honest Men, yet it had these good Effects; First, it put our Enemy to great Charge in fortifying his Coasts. Secondly, they took so many Ships as caused many of his Merchants to break, whereby the
‘ Army

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‘ Army in *Flanders* suffered much : And, lastly,
‘ they could carry no Treasure out to pay their
‘ Forces in *Flanders*.

‘ And for Omissions of what more might have
‘ been done, I leave that to its proper Place and
‘ Time, and let every Man bear his own Burden.

‘ From *Oxford* the Council went to *Southamp-*
‘ *ton*, where the *States* Ambassadors did wait often
‘ on the King and Council ; and a League, Offen-
‘ sive and Defensive, betwixt us and them, was
‘ thought fit to be resolved on, whereof some
‘ Reasons I will express, but not all. First, they
‘ are of our own Religion. Secondly, they are
‘ our Neighbours, for Situation so useful, as when
‘ they are in Distress, it is Policy in us to give
‘ them Relief ; therefore the King thought fit to
‘ do it in such a Manner as might lay an Obliga-
‘ tion on them ; which, if it had not been done,
‘ they had been pressed with a long War, and such
‘ a Faction among themselves, as, if the King had
‘ not joined, and in a Manner appeared their Pro-
‘ tector, they had broke among themselves. And
‘ in this the King’s Care was not only of them,
‘ but of all *Christendom*, and of his own Particu-
‘ lar.

‘ For, as before, he only assisted them ; his
‘ Majesty’s Care now used Arguments to draw them
‘ to Contribution ; so that they bear the fourth Part
‘ of the Charge of the War at Sea, according to
‘ such Conditions, as, by the Lord Chamberlain,
‘ you have heard.

‘ This League being perfected between the
‘ *States* and us, his Majesty, by Advice of his
‘ Council, thought fit to send me to get such a
‘ League with the other Princes as I could. The
‘ Rendezvous was in the *Low Countries*, being in
‘ a Manner the Centre for Repair for *England*,
‘ *France*, and *Germany* ; I had Latitude of Com-
‘ mission to make the League with most Advan-
‘ tage I could.

‘ Now I had discovered from Monsieur B—,
‘ the *French* Ambassador here, that a League, Of-
‘ fensive

‘ fenfive and Defensive, would be refused; and I An. 2. Charles I.
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‘ found the King of *Denmark* shie, and loath to
‘ enter into such a League against the King of
‘ *Spain*; and so, partly out of Necessity, and
‘ partly out of Reasons of State, I was forced to
‘ conclude the League in general Terms, for the
‘ restoring the Liberty of *Germany*, without nam-
‘ ing the King of *Spain*, or the Emperor, that
‘ other Princes might come in; and this to conti-
‘ nue till every one had Satisfaction; and nothing
‘ to be treated of, debated, or concluded on, but
‘ by Consent of all Parties. It did appear that the
‘ Charge was so great, that the Kingdom could
‘ not endure it; and therefore I endeavoured, in
‘ the *Low Countries*, to lessen it, and so the Sea-
‘ Charge was helped; and the Land-Assistance
‘ given unto them, is to cease six Months hence,
‘ which the Lord *Conway* said was to end in *Sep-*
‘ *tember* next.

‘ Also, by this Treaty, it is conditioned with
‘ the King of *Denmark*, that when my Master
‘ shall, by Diversion, equal to this Contribution
‘ with his own Subjects, enter into Action, then
‘ his Charge to cease: Or if the King of *France*
‘ may be drawn in, of which there is great Hope
‘ (though he hath now made Peace in *Italy*) for
‘ that the Policy of *France* may not give Way
‘ unto the Greatness of the House of *Austria* and
‘ Ambition of *Spain*, whose Dominions do grasp
‘ him in on every Side; and, if the Business be
‘ well carried, his Engagement to the King of
‘ *Denmark* may draw him in; so there is great
‘ Possibility of easing our Charge.

‘ But all is in the discreet taking of the Time;
‘ for, if not, we may think the King of *Denmark*
‘ will take hold of those fair Conditions which are
‘ each Day offered him; and then the Enemy’s
‘ Army will fall upon the River of *Elbe*, and (the
‘ Lord *Conway* added) upon *East-Friezland*, from
‘ whence they would make such Progress, as (in
‘ my poor Experience) would ruin the *Low Coun-*
‘ *tries*.

‘ And

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‘ And thus I think I have satisfied all of you, or
‘ at least given an Account of my Negotiation in
‘ the *Low Countries*, with the King of *Denmark*,
‘ *Sweden*, and the rest.

‘ I should be glad, before I end, to say some-
‘ what of myself, but I shall request your favour-
‘ able Construction, for I have been too long al-
‘ ready; but I fear I shall offend, and therefore I
‘ will restrain myself to Generals.

‘ If, in any of these Employments, my Errors
‘ may be shewed me, I shall take him for my best
‘ Friend that will manifest them in particular. I
‘ have bent all my Thoughts on nothing but my
‘ Master’s Honour, the Service of the State, and
‘ Safety of them both. I never had any End of
‘ mine own, and that may be perceived and proved
‘ by the Expence of mine own Estate. I am
‘ ashamed to speak it, and it would become ano-
‘ ther Man’s Tongue better than mine own.

‘ My Journey into *Spain* was all at my own
‘ Charge; my Journey into *France* was at my
‘ Master’s Charge; my Journey into the *Low*
‘ *Countries* was all at my own Charge.

‘ I am accused, by common Fame, to be the
‘ Cause of the Loss of the Narrow Seas, and the
‘ Damage there sustained. What I can say, is
‘ this, since the War begun with *Spain*, I have al-
‘ ways had twelve Ships on the Coasts, and Allow-
‘ ance but for four; the rest my own Care sup-
‘ plied. And, for the Office of Admiral, when I
‘ came first to it, I found the Navy weak, not
‘ neglected by my noble Predecessor (for I cannot
‘ speak of him but with Honour; and I shall de-
‘ sire to go to my Grave with the Honour he car-
‘ ried hence) but the not paying of Monies in Time,
‘ there were such Defects his Care could not pre-
‘ vent; that, if the War had then broken out,
‘ there would have been found but few Ships, and
‘ those unserviceable. I was first prevail’d on to
‘ take this Office by Persuasion of Sir *Robert*
‘ *Manfel*; and, though I objected I was young,
‘ and unexperienced, yet he said, that, by my Fa-
‘ your

‘ your with my Master, I might do more Good in An. 2. Charles I.
 ‘ procuring Payment for that Charge; and, be- 1616.
 ‘ cause I was young and unexperienced, I took
 ‘ Advice, as I do in all Things, and am not a-
 ‘ shamed of it. I have desired my Master to grant
 ‘ a Commission as it were over me. I have found
 ‘ a great Debt, the Ships defective, and few in
 ‘ Number; the yearly Charge of 54,000l. which
 ‘ was brought to 30,000l. *per Annum*; we built
 ‘ every Year two Ships; and when so many were
 ‘ built as were requisite, we brought it to 22,000l.
 ‘ *per Annum*, which comes not into my Hands,
 ‘ but goes into its proper Streams, and issues from
 ‘ the Officers to that Purpose deputed.

‘ Now if any can shew me a Project, how to
 ‘ maintain a War against *Spain*, *Flanders*, and the
 ‘ *Turkish* Pirates with less Charge, he will do a
 ‘ great Work, and good Service. I have had
 ‘ sometimes twenty, sometimes thirty Ships, tho’
 ‘ sometimes disasted by Tempest, which dis-
 ‘ perfed the *Hollanders* Ships, and caused them to
 ‘ cut their Masts and forsake their Anchors.

‘ There are now twelve Ships victualled for two
 ‘ Months; and, though many Reports have been,
 ‘ that they do not do their Duty, yet I have ad-
 ‘ vertised them thereof from Time to Time, and
 ‘ find no such Fault in them.

‘ There are thirty Ships more at *Plymouth*, vic-
 ‘ tualled for six Months, and ten more ready, so
 ‘ soon as they may be victualled. I have been so
 ‘ frugal of making use of the old Remains, that
 ‘ there is no Need of Ammunition, or other Ne-
 ‘ cessaries.

‘ Besides all these, there are twenty Ships to
 ‘ come from the *Low Countries*; so you have
 ‘ twelve, twenty, thirty, and ten more, which I
 ‘ think you have not heard of.

‘ And therefore, if any have blamed me, I do
 ‘ not blame him, but think he hath done well;
 ‘ but when you know the Truth, and when all
 ‘ this shall appear, I hope I shall stand right in
 ‘ your Opinions.

‘ Gen-

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‘Gentlemen, it is no Time to pick Quarrels
‘one with another; we have Enemies enough al-
‘ready, and therefore more necessary to be well
‘united at Home.

‘Follow not Examples, at least not ill Exam-
‘ples of *Gondomar* and *Inojosa*, who would have
‘had my Head, when you thought me worthy of
‘a Salute. Now, though I confess there may be
‘some Errors, I will not justify myself; yet they
‘are not such gross Defects as the World would
‘make them appear. I desire they may be ad-
‘mitted *cum Nota*.

‘They are no Errors of Wilfulness, nor of
‘Corruption, nor oppressing of the People, nor
‘Injustice, but contrary; and then may I say, for
‘what Good done by me do I suffer?

‘And now I might answer more Particulars,
‘but I have been long, and so will forbear; and
‘will conclude, if your Supply answer not your
‘Promises and Engagements to my Master, you
‘will make this Place, which hath been in Peace
‘when others were in War, the Seat of War
‘when others are in Peace.

‘Now Gentlemen, you that were antient Par-
‘liament-Men when this Counsel was first given,
‘strive to make good your own Engagement, for
‘the Honour of your King, and your own Safety.
‘Let Religion, in which I would be glad to be
‘more watchful and industrious than any, unite
‘your Hearts both at home and abroad; and you
‘that are young Men, may in these active Times
‘gain Honour and Reputation, which is almost
‘sunk, and gain the antient Glory of your Pre-
‘decessors: And, remember, it is for restoring to
‘her Inheritance, the most virtuous Lady, I think,
‘in the World.

‘I have nothing more, but to intreat your cha-
‘ritable Opinion of me and my Actions.’

For the further vindicating of the Duke, the
Lord *Conway* stood up and said,

‘That

‘ THAT whereas divers Jealousies have been raised in the House, that the Monies have been expended unusefully, and without Council ; himself who was the only Secretary, and had the Hand in guiding the Business, could best give an Account of it.

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Lord Conway's
Vindication of
the Duke.

‘ When King *James*, of glorious Memory, at the Request of both Houses, had broken both the Treaties, he considered how to maintain the War; for he saw that the King of *Spain* was awaked, and that the *Palatinate* must be got by the Sword, and that *Spain* would oppose it with all the Power they could; and computing the Charges, found the Subsidies granted too short; for that it could not be done without an Army of 25,000 Foot, and 5000 Horse, which would amount to 600,000 l. for the Armies yearly, and 300,000 l. for the Navy; but, finding all his Means short, and as the Proverb is, *Not knowing of what Wood to make his Arrows to hit the Mark withall*, Count *Mansfield* stirred up by his own Judgment, came over and made Overture, That for 20,000 l. a Month he would raise an Army of 30,000 Men, and draw in the *French King*, *Denmark*, *Sweden*, *Venice*, *Savoy*, the Cantons of the *Switzers*, and, perhaps, some other *German Princes*, and raise a War in *Alsatia*, of great Consequence to make a Diversion.

‘ Now about this Time the Council of *Austria* resolved to call a Diet, and exclude the Count *Palatine*, and put in a *Papish* Elector; and, for that End, offered a general Peace in *Germany*, and so left not a Crevice to look into for Assistance; but if any of them should aid the Count *Palatine*, he should be out of the Peace.

‘ The King accepts *Mansfield's* Offer, conditionally, that he drew in the *French King*: So *Mansfield* went over into *France*; and the King, by Advice of his Council, sent Ambassadors into *France*, *Denmark*, *Venice*, *Savoy*, and Cantons of the *Switzers*, from whom he received cold Answers; for King *James* had stood so long on

‘ Terms

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‘ Terms of Peace, as they doubted he would not
‘ be brought to enter into a War. But Count *Mans-*
‘ *field* procured the King of *France* to contract or
‘ receive our Troops, with Promise to enter into
‘ the War, upon Condition it might be regulated
‘ by the Council of the *French* King and *England*.
‘ This Favour to Count *Mansfield*, That *France*
‘ agreed that his Armies should join with the King’s
‘ Troops, wrought the Princes of *Germany* to be-
‘ lieve, that the King would enter into a War.
‘ Thereupon the Imperialists left their Diet, and
‘ sent *Tilly* to *Friezland*; and to take up the River
‘ of *Emden*; which, if he had obtained, they
‘ would have trampled the *Low Countries* under
‘ foot, and would have become Governors of the
‘ Sea.

‘ Upon this the King of *Denmark* sent to our
‘ King, and offered to raise an Army of 30,000
‘ Men, if our King would allow 30,000 l. a
‘ Month, and said, He would admit no Time of
‘ Respite; for if *Tilly* had not been presently met
‘ and headed, all had been lost. Whereupon our
‘ King called a Council, and appointed Commis-
‘ sioners; and from that Time all the Warrants
‘ for the issuing of the Monies, were all under the
‘ King’s own Hand to the Council of War, and
‘ from them to the Treasurers, and the Warrants
‘ were from the Lords of the Council for the le-
‘ vyng of Men, and for Coats and Conduct-Mo-
‘ ney. A List whereof is hereunder specified.

‘ Thereupon the Duke asked the Question,
‘ Whether any Thing was done by single Coun-
‘ sel?

To which the Lord *Conway* answered, ‘ No:
‘ For the Treaty of *Denmark*, Project of Count
‘ *Mansfield*’s, Treaties with *France*, and the Busi-
‘ ness of the Navy, were done all by the King
‘ himself; and who can say it was done by single
‘ Council, when King *James* commanded it,
‘ whose Council every Man ought to reverence,
‘ especially in Matters of War, whereunto that
‘ King was not hasty?

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*The Total of Monies paid by Warrants of the An. 2. Charles I.
Treasurers of the Subsidy Money. 1626.*

	l.	s.	d.	
I N <i>Toto</i> for the four Regiments of the <i>Low-Countries</i> , from the 13th of <i>June</i> , 1624. till the 21st of <i>July</i> , 1624. }	99878	0	6	Monies disbursed for the War.
For the Navy, from the 13th of <i>July</i> , 1624. till the 23d of <i>December</i> . }	37530	8	4	
For the Office of the Ordnance and Forts in <i>England</i> , from the 20th of <i>July</i> , 1624. till the 15th of <i>June</i> , 1625. }	47126	5	5	
To defray Charges for Forts in <i>Ireland</i> , about <i>October</i> , 1624. }	32295	18	4	
For the Service under Count <i>Mansfield</i> ; for Provision of Arms, transporting of Soldi- ers, from the 4th of <i>October</i> , 1624, till the 10th of <i>Decem-</i> <i>ber</i> , 1624. }	61666	13	4	
Sum Total	278497	5	11	

‘ **M**Emorandum, That over and above the se-
‘ veral Services before specified, and the se-
‘ veral Sums issued, and to be issued by our War-
‘ rants for the same, we did long since resolve and
‘ order accordingly, that out of the Monies of the
‘ second and third Subsidies, these further Services
‘ should be performed, and Monies issued accor-
‘ dingly, viz.

‘ In full of the Supply of all the Forts and
‘ Castles before-mentioned (surveyed per Sir Ri-
‘ chard Morison, Sir John Ogle, Sir John Kaye, in
‘ September, 1623.) with all Sorts of Munitions,
‘ according to several Proportions and Warrants
‘ for the same ————— 4973 l.

‘ In full for the Reparations of all the said
‘ Forts and Castles according to the said Sur-
‘ vey ————— 10650 l. 6 s. 8 d.

‘ But

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‘ But the said Subsidies being not like to afford
‘ Means to perform these so necessary Works: We
‘ humbly commend the Supply of what shall be
‘ wanting for the same unto your Majesty’s prince-
‘ ly Consideration.’

After a Report was made to the Commons of this Conference, by Members appointed for that Purpose, the House went upon framing a Remonstrance to the King, by way of Answer to his and the Lord Keeper’s Speeches. This being perfected, and approved on by the House, it was presented to his Majesty, *April* the 5th, by a select Committee, and was as follows:

Most gracious Sovereign,

The Commons
Answer to the
King’s and the
Lord Keeper’s
Speeches.

‘ **W** Hereas your Majesty hath been pleased of
‘ late, at sundry Times, and by several
‘ Means, to impart unto us your Royal Pleasure,
‘ touching some Passages and Proceedings in this
‘ present Parliament: We do first, with unspeak-
‘ able Joy and Comfort, acknowledge your Ma-
‘ jesty’s Grace and Favour, in that it hath pleased
‘ you to cause it to be delivered unto us by the
‘ Lord Keeper of your Great Seal, in your own
‘ Royal Presence, and before both Houses of Par-
‘ liament, That never King was more loving to
‘ his People, nor better affected to the right Use of
‘ Parliaments; withall professing your most gra-
‘ cious Resolution to hear and redress our just Grievances. And, with like Comfort, we acknow-
‘ ledge your Majesty’s Goodness shining at the
‘ very Entrance of your glorious Reign, in com-
‘ manding the Execution of the Laws established
‘ to preserve the true Religion of Almighty God,
‘ in whose Service consisteth the Happiness of all
‘ Kings and Kingdoms.

‘ Yet let it not displease your Majesty, that we
‘ also express some Sense of just Grief, intermixed
‘ with that great Joy, to see the careful Proceed-
‘ ings of our sincere Intentions so mis-reported, as

to have wrought Effects unexpected, and, we hope, undeserved.

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First, touching the Charge against us in the Matter concerning Mr. *Coke*: We all sincerely protest, That neither the Words mentioned in your Majesty's Message, nor any other of seditious Effect, were spoken by him, as hath been resolved by the House, without one negative Voice. Howsoever, in a Speech occasionally uttered, he did let fall some few Words which might admit an ill Construction; whereat the House being displeased at the Delivery of them, as was expressed by a general and instant Check, he forthwith so explain'd himself and his Intention, that, for the present, we did forbear to take them into Consideration, which since we have done: And the Effect thereof had before this appeared, if, by importunate Business of your Majesty's Service, we had not been interrupted.

The like Interruption did also befall us in the Case of Dr. *Turner*; wherein the Question being formally stated, a Resolution was ordered to have been taken that very Day, on which we received your Majesty's Command to attend you.

But for our own Proceedings, we humbly beseech your Majesty to be truly informed, that before that Overture from Dr. *Turner*, (out of our great and necessary Care for your Honour and Welfare of your Realm) we had taken into serious Consideration the Evils which now afflict your People, and the Causes of them, that we might apply ourselves unto the fittest Remedies: In the Pursuit whereof, our Committees (whatsoever they might have done) have in no Particular proceeded otherwise, than either upon Ground of Knowledge in themselves, or Proof by Examination of Witnesses, or other Evidence. In which Course of Service for the Publick Good, as we have not swerved from the Parliamentary Ways of our Predecessors, so we conceive that the Discovery and Reforming of Er-

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1626.

rors, is so far from laying an Asperſion upon the preſent Time and Government, that it is rather a great Honour and Happineſs to both, yielding Matter to great Princes, wherein to exerciſe and illuſtrate their nobleſt Virtues.

And although the grievous Complaints of the Merchants from all Parts, together with the common Service of the Subjects well affected to thoſe who profeſs our Religion, gave us Occaſion to debate ſome Buſineſſes that were partly foreign, and had relation to Affairs of State; yet we beſeech your Majeſty to reſt aſſured, it was exceeding far from our Intention, either to traduce your Counſellors, or diſadvantage your Negotiations.

And tho' ſome Examples of great and potent Miniſters or Princes, heretofore queſtioned in Parliament, have been alledged; yet was it without paralleling your Majeſty's Government, or Councils, to any Times at all, much leſs to Times of Exception.

Touching the Letter of your Majeſty's Secretary; it was firſt alledged by your Advocate for his own Juſtification, and after, by Direction of the Committee, produced to make good his Allegation.

And for the Search of the Signet-Office; the Copy of a Letter being divulged, as in your Majeſty's Name, with pregnant Cauſe of Suſpicion, both in the Body and Direction thereof, to be ſuppoſitious; the Committee, out of Deſire to be cleared therein, did, by their Order, ſend ſome of themſelves to the Signet-Office, to ſearch whether there were any Records or Letters of that Nature, without Warrant to the Officer for any, much leſs for a general Search.

But touching publick Records, we have not forbore, as often as our Buſineſſes have required, to make Search into them, wherein we have done nothing unwarranted by the Laws of your Realm and the conſtant Uſage of Parliaments. And if, for the Eaſe of their Labours, any of our
Com-

* Committees have desired the Help of the Officers An. 2. Charles I.
1626.
* Repertories, or Breviats of Direction, we conceive it is no more than any Subject, in his own
* Affairs, might have obtained for ordinary Fees.

* Now, concerning your Majesty's Servants, and,
* namely, the Duke of *Buckingham*; we humbly
* beseech your Majesty to be informed by us your
* faithful Commons, who can have no private End
* but your Majesty's Service, and the Good of
* our Country, That it hath been the antient,
* constant, and undoubted Right and Usage of Parliaments, to question and complain of all Persons,
* of what Degree soever, found grievous to the
* Common-Wealth, in abusing the Power and
* Trust committed to them by their Sovereign.
* A Course approved not only by the Examples in
* your Father's Days, of famous Memory, but by
* frequent Precedents in the best, and most glorious
* Reigns of your noble Progenitors, appearing
* both in Records and Histories; without which
* Liberty in Parliament, no private Man, no Servant
* to a King, perhaps, no Counsellor, without exposing himself to the Hazard of great Enmity and Prejudice, can be a Means to call great
* Officers into question for their Misdemeanors; but
* the Common-Wealth might languish under their
* Pressures without Redress: And whatsoever we
* shall do accordingly in this Parliament, we doubt
* not but it shall redound to the Honour of the
* Crown, and Welfare of your Subjects.

* *Lastly*, We most humbly beseech your Majesty graciously to conceive, that though it hath
* been the long Custom of Parliaments to handle
* the Matter of Supply with the last of their Businesses; yet, at this Time, out of extraordinary
* Respect to your Person, and Care of your Affairs, we have taken the same into more speedy
* Consideration; and most happily, on the very Day
* of your Majesty's Inauguration, with great Alacrity and unanimous Consent, after a short Debate, we grew to the Resolution for a present
* Supply well known to your Majesty.

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‘ To which, if Addition may be made of other great Things for your Service, yet in Consultation amongst us, we doubt not but it will appear, That we have not receded from the Truth of our first Intention, so to supply you, as may make you safe at home, and feared abroad ; especially if your Majesty shall be pleased to look upon the Way intended in our Promise, as well as to the Measure of the Gift agreed.

‘ With the like Humility we beseech your Majesty not to give Ear to the officious Reports of private Persons for their own Ends, which hath occasioned so much Loss of Time ; nor to judge our Proceedings whilst they are in Agitation, but to be pleased to expect the Issue and Conclusion of our Labours ; which, we are confident, will manifest and justify to your Majesty the Sincerity and Loyalty of our Hearts, who shall ever place in a high Degree of Happiness the performing of that Duty and Service in Parliament, which may most tend to your Majesty’s Honour and the Good of your Kingdom.’

The Commons
adjourn by the
King’s Desire.

After this Remonstrance was read to the King by Secretary *Cook*, his Majesty said to the Committee, ‘ That he would not then give Answer to it ; but expected and desired that the Commons would adjourn, as the Lords had done, untill the 13th of the same Month ; and that then they would repair the Time they had hitherto lost.’ On the Report of this to the House, a Debate arose, and the Question being twice put, Whether to adjourn, or No ? it was carried in the Affirmative, on a Division 150 against 120 ; and the House adjourned itself to *Thursday* in *Easter Week* : The Party, in the Opposition to this, seeming as if they had intended to sit thro’ the Holidays.

During this short Recess, we shall look back into some Proceedings of the Lords this Session ; in order to pave the Way for a full Explanation of what was to be done against the Duke of *Buckingham*, at the next Meeting of the Parliament.

There

There is nothing material entered in their *Journals* this Session, till *March 6.* when the House was put in mind, that they had now sat a Month, and yet not considered of the State of the Nation, as it then stood with a great and potent Enemy, the *Spaniard* exasperated, and preparing great Forces for an Invasion: Therefore their Lordships were moved to appoint a Committee, to consider of the State of the Realm, in general; and, in particular, of the Safeguard of the Seas; the Stores of Munition and Arms, and all Things incident thereto; and of fortifying the Forts. A Committee was appointed accordingly.

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1626.

The Lords consider the State of the Realm;

The next Day the Lord Keeper signified to the House, 'That his Majesty took special Notice of that Committee, and, with great Approbation thereof, commanded him to give their Lordships very hearty Thanks for their Zeal therein, to his Honour and the Safeguard of the Realm; and desired them to proceed in it with all Speed and Alacrity.'

For which the King gives them Thanks.

The same Day a Report was made from this Committee, 'That the Master of the Ordnance had acquainted them with the great Want of Gun-Powder in the Stores; which their Lordships thought fit to be provided.'

Also, 'That the said Committee thought proper that the following Particulars be offered to the Consideration of the House of Commons: 1. That a Fleet be presently set out against the King of *Spain*, to annoy him and prevent an Invasion of this Kingdom. 2. That another Fleet be set out to defend our own Coasts, and the Merchants from Pirates. 3. The Maintenance of the Armies under the King of *Denmark* and Count *Mansfield*. Lastly, To acquaint the Commons with the present State of this Kingdom and the Confederates thereof.'

Upon this Report the House resolved upon a Conference with the Commons; and a select Committee of each House, consisting of forty Lords and a proper Number of the Commons, was appointed to meet at Three that Afternoon.

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1626.

A Conference
with the Com-
mons on the
State of Affairs
abroad.

The Archbishop of *Canterbury*, the Duke of *Buckingham*, the Lord Chamberlain, and the Earl of *Carlisle*, were ordered to manage the said Conference. The Houses sat that Afternoon, and the Lords Committees, being returned from the Conference, reported, 'That they had fully related to the Commons the Cause of that Meeting; and that they had promised to deliver the same to their House.'

There is nothing further said of this Conference in the *Journals* of the Lords; and, in those of the Commons, the Report made of it, by Mr. *Pymme*, and Sir *Nathaniel Rich*, is left short as to any thing more, than that the Lord Archbishop of *Canterbury*, and the Lord Chamberlain spoke both on the Occasion. We are beholden to Mr. *Rushworth* for the Heads of a Speech made by *William* Earl of *Pembroke*, then Lord Great Chamberlain of *England*, to a Committee of the Commons at this Conference.

This noble Lord represented the State of *Christendom* to them, how it stood before the Breach of the Treaties with *Spain*, and how since; he said, 'That the Condition of the *Palatinate* was nothing bettered; that Count *Mansfield's* Army was raised, in order to make a Diversion of the Catholic League in *Germany*; that the King of *Denmark* had thereupon engaged himself to stand or fall in this Quarrel, provided Supplies might be had from hence; that the *Swedes* were forward in it; and that his Majesty had made a strict Alliance with the *Hollanders*, upon these Terms, That they should bear a fourth Part of the Expence of our Navy, and only have a fourth Part of the Spoils; the Lands and Cities conquered to be the King's. Lastly, That the Fruits of all these rich Advantages would be lost, if a speedy Assistance was not resolved on.'

After the Report of this Conference was made to the Commons, it was moved to consider what Answer was fit to be given to the Lords, and then to go on with the Business before them. Others moved to

go on, as before, and give no Answer at all to them. On this, the Question being put, Whether to answer or Not? the House divided, and it was carried in the Affirmative 226 against 166; and a Committee was appointed to consider of and draw up an Answer to that Purpose. But we cannot find, by either *Journals*, that ever any Answer was returned to the Lords about this Business; the Commons seeming more intent on redressing Grievances at home, than troubling themselves about Affairs abroad.

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The Lords, notwithstanding, went on with their Committee for the Defence of the Realm, &c. and, on the 24th of *March*, the Lord Treasurer, reported to the House, That the said Committee had made several Agreements with Merchants for importing and making of Salt-Petre and Gun-Powder; also, with the Armourers and Gun-Makers, in and about *London*, for providing a sufficient Quantity of those warlike Stores.—But their Care in these Things was soon interrupted by Affairs of a different Nature, which took up all the Attention of the House of Lords.

Digby Earl of *Bristol*, so much concerned in the late Negotiations in *Spain*, about the *Match*, &c. on his Return from thence, had been committed Prisoner to the *Tower*. This Earl had been also examined by a Committee of Lords, appointed by the King, touching those Affairs; and certain Propositions were made to him in order to his Release, and composing the Differences between the Duke and him. On his Refusal, in some Measure, to comply with the Terms, the Lord *Conway*, Secretary of State, wrote to him the following Letter, and received his Answer to it.

The Case of Digby
by Earl of Bristol.

THE LORD CONWAY, to the EARL OF BRISTOL.

My Lord,

I Received a Letter from your Lordship, dated the 4th of this Month, written in Answer to a former Letter which I directed to your Lordship, by his

The Secretary
of State's Letter
to him;

Ma-

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An. 2. Charles I.
1626.

Majesty's Commandment. This last Letter, according to my Duty, I have shewed unto his Majesty, who hath perused it, and hath commanded me to write back to you again, that he finds himself nothing satisfied therewith. The Question propounded to your Lordship, from his Majesty, was plain and clear, Whether you did rather chuse to sit still without being questioned for any Errors pass'd in your Negotiations in Spain, and enjoy the Benefit of the late gracious Pardon granted in Parliament, whereof you may have the Benefit: Or whether, for the clearing of your Innocency, (whereof yourself, and your Friends and Followers, are so confident) you will be content to wave the Advantage of that Pardon, and put yourself into a legal Way of Examination for the Trial thereof. His Majesty's Purpose thereby, is not to prevent you of any Favours the Law hath given you; but if your Assurance be such as your Words and Letters import, he conceives it stands not with that public and resolute Profession of your Integrity to decline your Trial. His Majesty leaves the Choice to yourself, and requires from you a direct Answer, without Circumlocution or Bargaining with him for future Favours before-hand; but if you have a Desire to make use of that Pardon which cannot be denied you, nor is any way desired to be taken from you, his Majesty expects you should at the least forbear to magnify your Service, and, out of an Opinion of your Innocency, cast an Aspersions upon his Majesty's Justice, in not affording you that present Fulness of Liberty and Favour which cannot be drawn from him, but in his good Time, and according to his good Pleasure.

Thus much I have in Commandment to write to your Lordship, and to require your Answer clearly and plainly by this Messenger, sent on purpose for it, and so remain,

Your Lordship's

Whitehall, March 24.
1626.

Humble Servant,

CONWAY.

The

The EARL OF BRISTOL to the LORD CONWAY. An. 2. Charles I.
1626.

My Lord,

I Have received your Letter of the 24th of March, The Earl's Answer.
the 28th, and I am infinitely grieved to understand, that my former Answer to yours of the 4th of March hath not satisfied his Majesty, which I will endeavour to do to the best of my Understanding; and, to that End, shall answer to the particular Points of your present Letter with the greatest Clearness I am able.

First, Whereas you say in your Letter, That the Question propounded to me was plain and clear, viz.

Whether I would chuse to sit still without being questioned for any Errors pass'd in my Negotiations in Spain, and enjoy the Benefit of the late gracious Pardon, whereof I may take the Benefit? Or whether, being content to waive the Advantage of that Pardon, I should put myself into a legal Way of Examination for the Trial thereof? &c.

First, Your Lordship may be pleased to remember your last Proposition was, Whether I desired to rest in the Security I was in? which you now express, Whether I will chuse to sit still?

Secondly, Your Proposition was, Whether I would acknowledge the gracious Favour of his Majesty that now is, who had been pleased not to question my Actions? When it is best known to your Lordship, That, by a Commission of the Lords, I was questioned upon twenty Articles, divers involving Felony and Treason: Altho' it be true, That when I had so answered (as I am confident their Lordships would have cleared me) I was so unhappy as their Lordships never met more about that Business.

But now your Proposition is, Whether I will now chuse to sit still without being further questioned for Errors pass'd? Whereas before it was required I should acknowledge that I have not been questioned at all; which is a different Thing. But conferring both your Letters together, and gathering the Sense and Meaning, by making the latter an Explanation of the former,

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1626.

mer, which I could have wished your Lordship would have more clearly explained, I return unto your Lordship this plain and direct Answer.

That I understand, by the Security I am in, and sitting still, and not being further questioned, that I am restored to the bare Freedom and Liberty of a Subject and Peer: For if a Man be called in question by his Majesty, yet afterwards his Majesty shall be pleased, out of his Goodness, that he rest quiet and secure, and that he shall not be further questioned; I conceive that it is not apparent that his Liberty naturally revolveth unto him, when by his Majesty's Grace he is pleased to declare he shall not be further questioned, but may live in further Security. So that, understanding your Letter in this sort, (for no direct Answer can be made, untill the Sense of the Question be truly stated) I do most humbly acknowledge and accept his Majesty's Grace and Favour, and shall not wave any thing that shall come to me by the Pardon of the 21. Jacobi Regis, nor by the Pardon of his Majesty's Coronation. And am so far from Bargaining, as you are pleased to express it, for future Favour (though I hope my humble and submissive Courses of petitioning his Majesty, neither hath nor shall deserve so hard an Expression) that I shall not presume so much as to press for any Favour, untill my dutiful and loyal Behaviour may move his Majesty's Royal and Gracious Heart thereunto; but receive, with all Humbleness, this my Freedom and Liberty, the which I shall only make use of in such sort, as I shall judge may be most agreeable to his Majesty's Pleasure.

As for the second Part of your Letter, wherein you say, That if I desire to make use of that Pardon, his Majesty expects that I should at least forbear to magnify my Services; or, out of an Opinion of my own Innocency, cast an Aspersion upon his Majesty's Justice: To this Point I answer, That as I hope I shall never err in that sort of Immodesty, of valuing my Services, which I acknowledge to have been accompanied with infinite Weakness and Disabilities; so I trust it shall not displease, that I make use, to mine own Comfort,

and

and the Honour of my Posterity, of those many written Testimonies, which my late most Blessed Master hath left me, of his gracious Acceptance of my Services for the Space of twenty Years: And likewise I hope the modest avowing of mine Innocency will not be thought to cast any Aspersions upon his Majesty's Honour or Justice. I must freely confess unto your Lordship, I am much afflicted to see Inferences of this Nature made, both in your Lordship's last Letter and in this. For if it shall be inferred, as a Thing reflecting upon the King's Honour, that a Man questioned shall not endeavour to defend his own Innocency before he be convicted, it will be impossible for any Man to be safe; for the Honour of his Majesty is too sacred a Thing for any Subject, how innocent soever, to contest against. So likewise, God forbid that it should be brought into Consequences, (as in your former Letter) as a Tax upon the Government and Justice of his late Majesty, and Majesty that now is, that I should have suffered so long Time, not being guilty. For as I never have been heard so much as to repine of Injustice in their Majesties, in all my Sufferings, so I well know, that the long Continuance of my Troubles may well be attributed unto other Causes; as to my own Errors of Passion, or other Accidents: For your Lordship may well remember, that my Affairs were, almost two Years since, upon the Point of a happy Accommodation, had it not been interrupted by the unfortunate mistaking of the Speeches I used to Mr. Clark.

I shall conclude by intreating your Lordship's Favour, that I may understand from you, as I hope for my Comfort, that this Letter hath given his Majesty Satisfaction; or if there should yet remain any Scruple, that I may have a clear and plain Signification of the King's Pleasure; which I shall obey with all Humility.

Your Lordship's humble Servant,

BRISTOL.

After

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1626.

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An. 3. Charles I.
1626.

He petitions the
Lords for his
Writ of Sum-
mons.

After this the Earl petitioned the House of Lords, and shewed, ' That he, being a Peer of this Realm, had not received a Summons to Parliament, and desired their Lordships to mediate with the King, that he might enjoy the Liberty of a Subject and the Privilege of his Peerage, after almost two Years Restraint without being brought to a Trial: And, if any Charge was brought against him, he prayed that he might be tried by Parliament.'

Upon the Receipt of this Petition, the Lords referred it to the Committee of Privileges; from whom the Earl of *Herford* reported, ' That it was necessary for their Lordships humbly to beseech his Majesty to send a Writ of Summons to the Earl of *Bristol*; as also to such other Lords whose Writs are stopped, except such as are made incapable to sit there by Judgment of Parliament, or some other legal Courie.'

Hereupon the Duke of *Buckingham* signified to the House, That, upon the Earl's Petition to the King, his Majesty had sent him his Writ of Summons; and, withall, shewed the Lords a Copy of a Letter, wrote from the King to the said Earl, dated *Jan. 28, 1625*, the Tenor of which followeth:

The King's Letter
to the Earl of
Bristol.

WE have read your Letter addressed unto us by Buckingham, and cannot but wonder that you should, thro' Forgetfulness, make Request to us of Favour, as if you stood evenly capable of it, when you know what your Behaviour in Spain deserved of us, which you are to examine by the Observations we made, and know you well remember; how, at our first coming into Spain, taking upon you to be so wise, as to foresee our Intention to change our Religion, you were so far from dissuading us, that you offered your Advice and Secrecy to concur in it; and, in many other Conferences, pressing to shew how convenient it was to be a Roman Catholic, it being impossible, in your Opinion, to do any great Action otherwise; and how much Wrong, Disadvantage, and Diservice you did to the Treaty, and to the Right and Interest of our dear Brother and Sister, and their Children; what Dis-
advantage,

advantage, Inconvenience, and Hazard you intangled us in by your Artifices, putting off and delaying our Return home; the great Estimation you made of that State, and the low Price you set this Kingdom at; still maintaining, that we, under colour of Friendship to Spain, did what was in our Power against them, which they said you very well knew: And, last of all, your approving of those Conditions, that our Nephew should be brought up in the Emperor's Court; to which Sir Walter Aston then said, That he durst not give his Consent for Fear of his Head: Your replying unto him, That without some such great Action, neither Marriage nor Peace could be had.

An. 2. Charles I.
1626.

There is no Answer to this Letter in the *Journals*; but, instead of it, we find another Petition from the Earl, addressed to the Lords, on his receiving his Writ of Summons; to which he annexed the Lord Keeper's Letter and his Answer, and desired to be heard in Accusation of the Duke.

*The HUMBLE PETITION of JOHN Earl
of BRISTOL.*

Humbly shewing unto your Lordships,

THAT he hath lately received his Writ of Summons to Parliament, for which he returned unto your Lordships most humble Thanks; but, jointly with it, a Letter from my Lord Keeper, commanding him, in his Majesty's Name, to forbear his personal Attendance; and altho' he shall ever obey the least Intimation of his Majesty's Pleasure, yet he most humbly offereth unto your Lordships wise Considerations, as too high a Point for him, how far this may trench upon the Liberty and Safety of the Peers, and the Authority of their Letters Patents, to be in this Sort discharged by a Letter Missive of any Subject, without the King's Hand; and, for your Lordships due Information, he hath annexed a Copy of the said Lord Keeper's Letter, and his Answer thereunto.

His second Petition to the Lords, upon receiving his Writ of Summons.

He

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1626.

‘ He further humbly petitioneth your Lordships,
‘ That having been, for the Space of two Years,
‘ highly wronged in point of his Liberty and of his
‘ Honour, by many sinister Aspersions which have
‘ been cast upon him, without being permitted to
‘ answer for himself; which hath been done by the
‘ Power and Industry of the Duke of *Buckingham*,
‘ to keep him from the Presence of his Majesty
‘ and the Parliament, lest he should discover many
‘ Crimes concerning the said Duke:

‘ He therefore most humbly beseecheth, That
‘ he may be heard, both in the point of his Wrong,
‘ and of his Accusation of the said Duke: Where-
‘ in he will make it appear, how infinitely the said
‘ Duke hath abused their Majesties, the State, and
‘ both the Houses of Parliament. And this, he is
‘ most confident, will not be denied, since the Court
‘ of Parliament never refuseth to hear the poorest
‘ Subject seeking for Redress of Wrongs, nor the
‘ Accusation against any, be he never so powerful.
‘ And herein he beseecheth your Lordships to me-
‘ diate to his Majesty, for your Suppliant’s coming
‘ to the House, in such Sort as you shall think
‘ fitting; assuring his Majesty, that all he shall
‘ say, shall not only tend to the Service of his Ma-
‘ jesty, and the State, but highly to the Honour of
‘ his Majesty’s Royal Person, and of his princely
‘ Virtues: And your Suppliant shall ever pray for
‘ your Lordships Prosperity.’

The LORD KEEPER to the Earl of BRISTOL.

Dorset-Court, March 31. 1626.

My very good Lord,

The Lord Keep-
er, Coventry’s,
Letter to him on
that Occasion.

BY his Majesty’s Commandment, I herewith send
unto your Lordship your Writ of Summons for
the Parliament; but withall signify his Majesty’s
Pleasure herein further, That howsoever he gives way
to the awarding of the Writ, yet his Meaning is
thereby not to discharge any former Directions for
Restraint of your Lordship’s coming hither; but that

you continue under the same Restriction as you did before; so as your Lordship's personal Attendance here is to be forborn. And herein I doubt not but your Lordship will readily give his Majesty Satisfaction: And so I commend my Service very heartily unto your Lordship, and remain,

An. 2. Charles I.
1626.

Your Lordship's

Affured Friend and Servant,

THO. COVENTRY, C. S.

The Earl of BRISTOL's Answer to the LORD
KEEPER.

May it please your Lordship,

I Have received your Lordship's Letter of the 31st of March, and, with it, his Majesty's Writ of Summons for the Parliament. In the one his Majesty commandeth me, that, all Excuses set aside, upon my Faith and Allegiance I fail not to come and attend his Majesty; and this under the Great Seal of England. In the other, as in a Letter Missive, his Majesty's Pleasure is intimated by your Lordship, that my personal Attendance should be forborn. I must crave Leave ingenuously to confess unto your Lordship, that I want Judgment rightly to direct myself in this Case; as likewise, that I am ignorant how far this may trench upon the Privileges of the Peers of this Land, and upon mine and their Safety hereafter: For if the Writ be not obeyed, the Law calleth it a Misprision, and highly fineable, whereof we have had late Examples; and a Missive Letter being avowed or not, it is to be doubted would not be adjudged a sufficient discharge against the Great Seal of England: On the other Side, if the Letter be not obeyed, a Peer may, de facto, be committed upon a Contempt in the interim, and the Question cleared afterwards; so that in this Case it is above mine Abilities: I can only answer your Lordship, that I will most exactly obey; and to the End I may understand which Obedience will be, in all Kinds, most suitable to my Duty, I will presently repair to my private Lodging at London, and there

An. 2. Charles I.
1626.

there remain, untill, in this and other Causes, I shall have petitioned his Majesty, and understand his further Pleasure. For the second Part of your Lordship's Letter, where your Lordship saith, That his Majesty's Meaning is not thereby to discharge any former Directions for Restraint of your Lordship's coming hither, but that you continue under the same Restriction as before; so that your Lordship's personal Attendance here is to be forborn. I conceive your Lordship intendeth this touching my coming to Parliament only; for as touching my coming to London, I never had at any Time one Word of Prohibition, or colourable Pretence of Restraint; but, on the contrary, having his late Majesty's express Leave to come to London to follow my Affairs, out of my Respect to his Majesty, then Prince, and to the Duke of Buckingham, I forbore to come, untill I might know whether my coming would not be disagreeable unto them. Whereunto his Majesty was pleased to answer, both under the Hand of the Duke, and of Mr. Secretary Conway, That he took my Respect unto him herein in very good Part, and would wish me to make Use of the Leave the King had given me. Since which Time I never received any Letter or Message of Restraint, only his Majesty, by his Letter, bearing Date in June last, commandeth me to remain as I was in the Time of the King his Father; which was with Liberty to come to London to follow my own Affairs as I pleased, as will appear unto your Lordship, if you will afford me so much Favour as to peruse it. I have writ thus much unto your Lordship, because I would not, thro' Misunderstanding, fall into Displeasure by my coming up, and to intreat your Lordship to inform his Majesty thereof: And that my Lord Conway, by whose Warrant I was only restrained in the late King's Time, of famous Memory, may produce any one Word, that may have such as any colourable Pretence of debarring my coming up to London. I beseech your Lordship to pardon my Desire to have Things clearly understood; for the Want of that formerly hath caused all my Troubles; and when any Thing is misinformed concerning me, I have little or

no Means to clear it; so that my chief Labour is to avoid Misunderstanding. I shall conclude with beseeching your Lordship to do me this Favour, To let his Majesty understand, that my coming up is only rightly to understand his Pleasure, whereunto I shall, in all Things, most dutifully and humbly conform myself. And so, with my humble Service to your Lordship, I recommend you to God's holy Protection, and remain,

Sherborn, April 12.
1626.

Your Lordship's
Most humble Servant,
BRISTOL.

After the Reading of these, the Lord Keeper delivered this Message from the King to the House of Lords.

‘ That his Majesty hath heard of a Petition presented unto this House by the Earl of *Bristol*, so void of Duty and Respect to his Majesty, that he hath great Cause to punish him: That he hath also heard with what Duty and Respectfulness to his Majesty their Lordships have proceeded therein, which his Majesty conceiveth to have been upon the Knowledge they have that he hath been restrained for Matters of State; and his Majesty doth therefore give their Lordships Thanks for the same, and is resolved to put the Cause upon the Honour and Justice of their Lordships and this House. And thereupon his Majesty commanded him (the Lord Keeper) to signify to their Lordships his Royal Pleasure, That the Earl of *Bristol* be sent for as a Delinquent, to answer in this House his Offences committed in his Negotiations before his Majesty's being in *Spain*, [*his Offences whilst he was in Spain*] (a) and his Offences since his Majesty's coming from *Spain*; his scandalizing the Duke of *Buckingham* immediately, and his Majesty by Reflexion, with whose Privy, and by whose Directions, the Duke did guide his Actions, and without which he did nothing. All which his Majesty will cause to be charged against him before their Lordships in this House.’

VOL. VI.

H h

The

(a) Omitted in *Rushworth*.

The King's Message to the House of Lords, charging the Earl of Bristol with several high Offences.

An. 2. Charles I.
1626.

The Lords appointed a Committee to attend the King, and to present their humble Thanks to his Majesty, for the Trust and Confidence he had placed in the Honour and Justice of their House.

During the Recess of Parliament the Duke of Buckingham was taking great Pains to ward off the Blow intended against him by the Commons, in which the King was his principal Agent; but in vain, for that House was resolved to carry on the Prosecution against him. *Rusworth* informs us, 'That it was intimated to the Duke, in a written Paper sent him, that he should get the King to signify to a certain Number of Lords, that he had endeavoured to divert the Charge against the Duke, because his Majesty had found Knowledge and Experience of his Service and Fidelity; at the same Time to reveal some Mysteries of State to them, there mentioned, in which the Duke might seem culpable, but was not; and these were to be dictated to the King, for him to speak to the Lords.'— But since this private Intimation hath no other public Authority than the *Collector's* to support it, we shall wave the Matter, and proceed to Things of more certain Proof.

April 13. The two Houses met again, pursuant to Adjournment. The first Matters of Moment the Commons went upon, was to order the Committee, appointed to prepare a Petition with the Names of *Recusants, &c.* in Authority, to meet and proceed in that Business: Also the Report concerning Dr. *Montagu's* Books, to be made to the House on the 17th Instant.

Nothing happening in the Interval, worth Notice; on the Day aforesaid Mr. *Pymme* reported the Business concerning the said Books, and the Opinion of the Committee on these three Cases:

Resolution of
the Commons
against Dr. *Montagu*;

1. 'That *Montagu* had disturbed the Peace of the Church, contrary to the Doctrine, thereof, published in the 39 Articles, in 1582, and to the Book of Homilies; confirmed by Parliament.'

2. 'That

2. 'That in these Books were divers Matters tending to Sedition, by setting the King against the People, and the People one against another.' An. 2. Charles I. 1626.

3. 'That the whole Scope of the Books were to discountenance the true Profession of Religion here established, and so to draw the People to *Papery*, and reconcile them to the Church of *Rome*.'

'That the Committee were fully of Opinion, *Montagu* stood convicted of all the three Heads of the Charge; and that, as a public Offender against the Peace of the Church, he should, by this House, be presented to the Lords, there to receive Punishment according to his Demerits.'

The further Debate and Resolution about this Affair was deferred to another Day, and the Committee were ordered to deliver their Opinions to the King. Which are presented to the

House what was best to be done, for preventing the Danger which may happen by other Books of this Kind. Some Days after it was agreed to petition his Majesty on this last Article, and the Answer returned was, 'That the King did not slightly pass over the Message; but questioned whether that House had Power to examine the Doctrine, or no. He expressed his Dislike to Dr. *Montagu's* Writings, and said, he would refer the Doctrine in them to the Convocation-House; and would, for the future, take special Care for the Examination of all Books, which should be printed, for avoiding any Matter of Sedition, &c.'

But we shall leave this Affair for the present, to go upon much greater Matters, which engrossed the Attention of both Lords and Commons; and which will very properly begin our next Volume.

TAXES during the Reigns of HENRY VIII. EDWARD VI. MARY, ELIZABETH, and JAMES I.

H E N R Y VIII.

IN the first Year of this King's Reign, he had a Supply, by Parliament, of *two Tenths* and *two Fifteenths*.

In his second, *two Tenths* and *two Fifteenths*, with *Tunnage* and *Poundage*, for carrying on a War against *France*.

In his fourth, a Grant of two more *Tenths* and *Fifteenths*, besides a *Poll-Tax*, on account of an Invasion from the *Scots*.

In his sixth, *Tunnage* and *Poundage* was granted, and a *Subsidy*; but the Value of the latter uncertain.

During an Interval of Parliaments, from the seventh to the fourteenth Year of his Reign, divers arbitrary Means were made Use of for raising Money. And,

In the fourteenth he had also a *Subsidy*.

In his seventeenth Year, Commissioners were sent into every County, for levying the sixth Part of every Layman's Goods, and the fourth of the Clergy; but no Parliament was called till the twentieth; in which Year an Act passed to discharge him of certain Debts; which the Clergy, by another Act, were required to pay.

In his twenty-third Year, he had a *Fifteenth*, for the Defence of the Northern Borders: And,

In his twenty-sixth, a *Subsidy* of a *Tenth* and *Fifteenth*, besides a Grant of the *first Fruits* and *Tenths* of all spiritual Dignities, Benefices, &c.

In his thirty-second Year, he had a *Subsidy* of *one Fifteenth* and a *Tenth*, and 4 s. in the Pound from the Clergy.

In his thirty-fourth Year, a very large *Subsidy*, for a War with *Scotland* and *France*; and, in the next, he issued a Commission to raise Money by Benevolence.

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In his thirty-seventh, he had a *Subsidy* of 2 s. 8 d. in the Pound on Goods, 4 s. on Land, and 6 s. from the Clergy; besides the immense Sums that came into his Hands by the Suppression of Monasteries, Abbies, Hospitals, &c.

EDWARD VI.

In the first Year of this Reign *Tunnage* and *Poundage* was granted for the King's Life; besides the Revenues arising from Suppression of Chauntries, &c.

In the next Year he had a Relief granted him out of Sheep, Cloths, Goods, Debts, &c. and 6 s. in the Pound from the Clergy.

In his third Year, so much as related to Sheep and Cloths were released: But the Relief for Goods continued. A *Subsidy* was also granted him of 1 s. in the Pound on Goods, and of every Alien 2 s.

In the seventh, and last Year of his Reign, he had a *Subsidy* of *two Tenths* and *two Fifteenths*. The Clergy also gave 6 s. in the Pound.

M A R Y.

In her first Year she had *Tunnage* and *Poundage* for Life.

In her third Year she had a *Subsidy* from the Temporality, and 6 s. in the Pound from the Clergy.

In her sixth Year she had one *Subsidy* of 4 s. in the Pound on Lands, and 2 s. 8 d. on Goods; also 8 s. in the Pound from the Clergy, and *one Fifteenth* from the Laity,

E L I Z A B E T H.

In the first Year of this Queen's Reign she had a *Subsidy* of *two Fifteenths* and *two Tenths*; also *Tunnage* and *Poundage* was granted her for Life.

In her fifth Year she had a Supply of *one Subsidy*, *two Fifteenths* and *two Tenths*; besides a Grant of 6 s. in the Pound from the Provinces of *Canterbury* and *York*.

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In her eighth, *one Fifteenth, one Tenth*, and a *Subsidy* from the Temporality; besides a *Subsidy* from the Clergy of 4 s. in the Pound.

In her thirteenth, she had a Grant of *two Fifteenths* and *Tenths*, and a *Subsidy* from the Temporality; besides 6 s. in the Pound from the Clergy.

In her eighteenth, a Grant of a *Subsidy*, and of *three Fifteenths* and *Tenths*; besides 6 s. in the Pound from the Clergy.

In her twenty-third another Grant of a *Subsidy*, and of *two Fifteenths* from the Temporality; and 6 s. 8 d. in the Pound from the Clergy.

In her twenty-sixth, a Grant of *one entire Subsidy*; which was (according to *Stowe*) 2 s. 8 d. on Goods, and 4 s. on Lands, and *two Fifteenths* from the Temporality: Also 6 s. in the Pound from the Clergy.

In the twenty-eighth, *one Subsidy* and *two Fifteenths* from the Temporality, and *one Subsidy* from the Clergy of 6 s. in the Pound; besides which both Houses join'd in a *Benevolence* of 2 s. in the Pound.

In the thirtieth, an Act passed for granting *four Fifteenths* and *two Subsidies* from the Laiety: Also *two Subsidies*, of 6 s. in the Pound, from the Clergy, to be paid yearly at 2 s.

In her thirty-fourth, a Grant of *three Subsidies*, and *six Fifteenths* and *Tenths*, by the Temporality; and *two Subsidies*, of 4 s. from the Clergy.

In the thirty-ninth, *three entire Subsidies*, and *six Fifteenths* and *Tenths*, from the Temporality; and from the Clergy, *three Subsidies* of 4 s. in the Pound, to be paid at six several Payments.

In her forty-third, a Grant of *four entire Subsidies*, and *eight Fifteenths* and *Tenths*, from the Laiety; and *four Subsidies*, of 4 s. in the Pound, from the Clergy.

J A M E S I.

In his first Year he had *Tunnage* and *Poundage* for Life.

In

In his second Year there was an Act for assigning certain Sums of Money, for defraying the Charges of the King's Household.

In his third, *three entire Subsidies*, and *six Fifteenths*, from the Temporality; and *four Subsidies*, of 4 s. in the Pound, from the Clergy.

The eighth Year, *one entire Subsidy*, and *one Fifteenth*, from the Temporality; and 6 s. in the Pound from the Clergy.

In his tenth Year he had an *Aid* (according to ancient Custom) for the Marriage of his Daughter *Elizabeth* to *Frederick*, the Elector *Palatine*.

In his eighteenth, *two entire Subsidies* by the Temporality; also *three* from the Clergy: And,

In his twenty-second *three entire Subsidies*, with *three Fifteenths* and *Tenths*, were granted to be paid conditionally, *viz.* within one Year after the King's utter Dissolution of the two Treaties with *Spain*, *viz.* the *Marriage* and the *Palatinate*: And *four entire Subsidies* were also granted by the Spirituality.

The PRICE of PROVISIONS and LABOUR during the foregoing Reigns (b); whereby the Reader may be able to form some kind of Judgment concerning the Value of the TAXES and SUBSIDIES.

IN the Year 1510, Oats sold at 2 s. *per* Quarter, and Hay at 9 s. *per* Load.—In 1511, Oats 2 s. and Beans, 3 s. 4 d. *per* Quarter; Hay, 5 s. *per* Load.—In 1513, Oats, 2 s. 4 d. and Beans, 4 s.

In 1514, the Price of Wages of Workmen, and Servants by the Year, Day, &c. in Husbandry: A chief Hind, Carter, and Shepherd, each 1 l. *per* Ann. Cloathing, with Diet, 5 s. Common Servant of Husbandry, 16 s. 8 d. Cloathing, 4 s. Women Servants yearly Wages 10 s. Cloathing 4 s.—The Wages, by the Day, of a Workman, from *Easter* to *Michaelmas*: A Free Mason, at Diet, 4 d. without 6 d. A Master Carpenter, a rough Mason, a Tiler, a Plummer, a Bricklayer, a Glazier, a Carver, and a Joiner,

(b) We are obliged to Bp *Flewood's* *Chronicon Pretiosum* for the most of these: The rest have been collected out of our old *English* Historians, Acts of Parliament, &c.

a Joiner, the same. From *Michaelmas* to *Easter*, with Diet, 3 d. without, 5 d. — A Shipwright's Wages, from *Candlemas* to *Michaelmas*: A Master Carpenter, with Diet, 5 d. without, 7 d. A Hewer, with, 4 d. without, 6 d. An able Clincher, with, 3 d. without, 5 d. An Holder, with, 2 d. without, 4 d. A Master Calker, with, 4 d. without, 6 d. A mean Calker, with, 3 d. without, 5 d. A Calker, labouring by the Tide, with, 4 d. without, 6 d. From *Michaelmas* to *Candlemas*, the Masters Wages diminished 1 d. and so in proportion the rest. — From *Easter* to *Michaelmas*, other Labourers had, *per Diem*, (except in Harvest) with Diet, 2 d. without, 4 d. From *Michaelmas* to *Easter*, ditto, with Diet, 1½ d. without 3 d. — In Harvest, a Mower, with Diet, 4 d. without, 6 d. A Reaper and a Carter, with, 3 d. without 5 d. A Woman Labourer, and other Labourers, with, 2½ d. without, 4½ d.

In the Years 1518 and 1519, the Conquest of *Mexico* was made by *Hernando Cortes*, a Spaniard, and the Foundation of the Kingdom of *New Spain* was laid. A great Quantity of Gold and Silver being imported into *Europe* from thence, Money became more plentiful, and Trade diffusing itself every where, there soon appeared more numerous Armies, greater Magnificence in Princes Courts, the Dowries of Princesses much enlarged, and the Price of Provisions enhanced. *Spain* was the first Nation that agrandized itself by it; and it was this vast Treasure that occasioned *Charles V.* and *Philip II.* to aspire to universal Monarchy (c).

In 1521 was a Dearth; Wheat sold for 1 l. *per* Quarter. — In 1526, Oats, 3 s. and Beans, 4 s. 2 d. — In 1530, Oats, 4 s. Beans, 5 s. 4 d. And in 1532, Oats, 3 s. 10 d. Beans, 5 s. 4 d. — In 1533, it was enacted by Parliament, that Beef and Pork should be sold for one Halfpenny a Pound, and Veal or Mutton for three Farthings. (d) — In 1537, Oats, 3 s. 4 d. *per* Quarter; Beans, 6 s. The Price of *Gastoygne*, *Guyenne*, or *French* Wines were settled,

by

(c) Lord Herbert, p. 34.

(d) 24. Henry VIII. Cap. iii.

by Parliament, at 8 d. the Gallon; Malmseys, Romneys, Sack, and other sweet Wines, at 12 d. by Retail (e).—In 1543, Oats, 3 s. 4 d. Beans, 6 s. 8 d.—In 1550, a large House in *Channon-Row, Westminster*, within the Precincts of the Court, was lett to the Comptroller of the King's Household, at 30 s. *per Ann.*—In 1551, Wheat, 8 s. *per Quarter*; Malt, 5 s. 1 d. Malmsey, 4 d. *per Quart*; Oats, 8 s. Straw, 5 s. *per Load*; Coals, 12 s. *per ditto*.—In 1552, Barley, 5 s.—In this Year the Price of *French Wines*, of *Gascogne*, and *Guynne*, were settled, by Parliament, at 8 d. *per Gallon*; Wines of *Rochel*, at 4 d. and no other Wines of higher Value, to be sold for more than 12 d. (f).—In 1553, Wheat, 8 s. *per Quarter*; Malt, 5 s. *Muscadel Wine*, 6 d. *per Quart*; Malmsey ditto, 5 d. Red Wine, 3 d.—In 1554, Wheat, at 8 s. Rye, 6 s. 8 d. Malt, 5 s.—In 1555, Wheat, 8 s. Rye, 16 s. Malt, 5 s.—In 1556, Wheat, 8 s. Malt, 5 s. Beans, 6 s. 8 d.—In 1557, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats, 10 s. For threshing a Quarter of Wheat, 1 s. 1 d. For threshing a Quarter of Rye, 10 d. For ditto Barley, 5 d. This Year, before Harvest, Wheat was 2 l. 13 s. 4 d. *per Quarter*; Malt, 2 l. 4 s. Beans and Rye, 2 l. Pease, 2 l. 6 s. 8 d. But, after Harvest, Wheat, at *London*, was sold for 5 s. Malt, 6 s. 8 d. Rye, 3 s. 4 d. and, in the Country, Wheat was 4 s. Malt, 4 s. 8 d. Rye, 2 s. 8 d. *per Quarter*: So that a Penny Wheat-Loaf, which, before Harvest, was 11 Ounces, was, after Harvest, 56. In this Year Queen *Mary* borrowed, of the City of *London*, 20,000 l. at 12 *per Cent.*—In 1558, Wheat, 8 s. *per Quarter*; Rye, 8 s. Barley, 5 s. A good Sheep sold for 2 s. 10 d.—In 1559, Wheat, 8 s. Rye, 8 s.—In 1560, Wheat, 8 s. Rye, 8 s. Barley, 5 s. 2 d. Oats, 5 s. Old Hay, 12 s. 6 d. *per Load*; new Hay, 6 s. 8 d.—In 1561, Wheat, 8 s. Rye, 8 s. Malt, 5 s. Oats 5 s.—In 1562, Wheat, 8 s. Barley, 5 s. Hay, 13 s. 4 d. *per Load*; Straw, 6 s. Claret,

(e) 28. Henry VIII. Cap. xiv.

(f) 7. Edward VI. Cap. v.

Claret, 2 l. 10 s. *per* Hoghead.—In 1563, Rye, 13 s. 4 d. Oats, 5 s.—In 1574, a Dearth; and Wheat was 2 l. 16 s. *per* Quarter; Beef, 1 s. 10 d. *per* Stone; and Herrings only five for 2 d. Bay Salt, (never so dear) 6 s. the Bushel. After Harvest Wheat was 1 l. 4 s. and continued so about a Year.—In 1587, Wheat was 3 l. 4 s. *per* Quarter, at London; and, in other Places, at 10 s. 12 s. and 13 s. *per* Bushel, occasioned by excessive Transportation.—In 1594, Wheat, 2 l. 16 s. Rye 2 l.—In 1595, Wheat, by great Transportation, 2 l. 13 s. 4 d. A Hen's Egg, 1 d. or, at best, three for 2 d. A Pound of sweet Butter, 7 d.—In 1596, Wheat, by reason of great Rains, at 4 l. *per* Quarter; Rye, 2 l. 8 s. Oat Meal, 8 s. the Bushel.—In 1597, Wheat was 5 l. 4 s. and fell to 4 l. *per* Quarter; Rye from 9 s. to 6 s. *per* Bushel, and then to 3 s. 2 d. and afterwards rose again to the greatest Price. Bishop Goodwin says, Wheat was once this Year at 13 s. 4 d. *per* Bushel.—In 1598, Pepper, 8 s. *per* Pound; Raisins, 6 d. *Gascogne* Wine, 2 s. 8 d. *per* Gallon; sweet Wine, 4 s.—And, in 1603, Ale and strong Beer was settled, by Act of Parliament, to be sold, in Ale-houses, at one Penny the Quart, and small Beer at two Quarts for a Penny (g).

(g) The 1st of Jac. I. Cap. ix.



A
L I S T
O F
COUNTIES and BOROUGHs,

*Which return'd Members to Parliament at the Time
of the Accession of K. HENRY VIII. to the Crown.*

B edfordshire	<i>Plympton</i>
<i>Bedford</i>	<i>Tavistock</i>
Berkshire	<i>Clifton-Dartmouth-</i>
<i>New-Windsor</i>	<i>Hardness</i>
<i>Reading</i>	Dorsetshire
<i>Wallingford</i>	<i>Pool</i>
Buckinghamshire	<i>Dorchester</i>
<i>Chipping Wicomb</i>	<i>Lyme-Regis</i>
Cambridgeshire	<i>Weymouth</i>
<i>Cambridge Town</i>	<i>Melcomb-Regis</i>
Cornwall	<i>Bridport</i>
<i>Dunbivid alias Lan-</i>	<i>Shafton alias Shaftsbury</i>
<i>ceston</i>	<i>Wareham</i>
<i>Leskard</i>	Essex
<i>Lestwithiel</i>	<i>Colchester</i>
<i>Truro</i>	<i>Malden</i>
<i>Bodmin</i>	Gloucestershire
<i>Helston</i>	<i>Gloucester City</i>
Cumberland	Herefordshire
<i>Carlisle City</i>	<i>Hereford City</i>
Derbyshire	<i>Leominster</i>
<i>Derby</i>	Hertfordshire
Devonshire	Huntingdonshire
<i>Exeter City</i>	<i>Huntingdon</i>
<i>Totness</i>	Kent
<i>Plymouth</i>	<i>Canterbury City</i>
<i>Barnstaple</i>	<i>Rocheſter City</i>

Lan-

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Lancashire	Southampton
Leicestershire	<i>Winchester City</i>
<i>Leicester</i>	<i>Southampton</i>
Lincolnshire	<i>Portsmouth</i>
<i>Lincoln City</i>	Staffordshire
<i>Great-Grimsby</i>	<i>Stafford</i>
<i>Stamford</i>	<i>Newcastle under Line</i>
<i>Grantham</i>	Suffolk
Middlesex	<i>Ipswich</i>
<i>London City</i>	<i>Dunwich</i>
Norfolk	Surry
<i>Norwich City</i>	<i>Southwark</i>
<i>Lyn-Regis</i>	<i>Blechinley</i>
<i>Great-Yarmouth</i>	<i>Rygate</i>
Northamptonshire	<i>Guilford</i>
<i>Northampton</i>	<i>Gatton</i>
Northumberland	Suffex
<i>Newcastle upon Tyne</i>	<i>Chichester City</i>
Nottinghamshire	<i>Horsbam</i>
<i>Nottingham</i>	<i>Midburst</i>
Oxfordshire	<i>Lewes</i>
<i>Oxford City</i>	<i>New-Shoreham</i>
Rutlandshire	<i>Bramber</i>
Salop	<i>Steyning</i>
<i>Salop Town</i>	<i>East-Grinstead</i>
<i>Bruges alias Bridge-</i>	<i>Arundel</i>
<i>north</i>	Warwickshire
<i>Ludlow</i>	<i>Coventry City</i>
<i>Great-Wenlocke</i>	<i>Warwick</i>
Somersetshire	Westmoreland
<i>Bristol City</i>	<i>Apulby</i>
<i>Bath City</i>	Wiltshire
<i>Wells City</i>	<i>New-Sarum City</i>
<i>Taunton</i>	<i>Wilton</i>
<i>Bridgewater</i>	<i>Downeton</i>
	<i>Hindon</i>
	<i>Heitefbury</i>

West-

Of ENGLAND. 493

Westbury

Calne

Devizes

Chippenham

Malmesbury

Cricklade

Great-Bedwin

Ludgershal

Old Sarum

Wootton-Basset

Marlborough

Worcestershire

Worcester City

Yorkshire

York City

Kingston upon Hull

Scarborough

Cinque-Ports

Port of Hastings

Port of Dover

Port of Sandwich

Port of Hythe

Port of New-Romney

Town of Rye

Town of Winchelsea

Counties and Boroughs

Members

148

298



A
L I S T
O F
COUNTIES and BOROUGHs,
*To whom the Privilege of sending Representatives to
Parliament was granted or restored,*

By King H E N R Y VIII.

A nglesey County	Merioneth County
Beaumaris Town	Montgomery County
Brecon County	Montgomery Town
Brecon Town	Pembroke County
Cardigan County	Pembroke Town
Cardigan Town	Haverford- <i>West</i> T.
Carmarthen County	Radnor County
Carmarthen Town	New-Radnor Town
Carnarvon County	Monmouth County
Carnarvon Town	Monmouth Town
Denbigh County	Buckingham Town
Denbigh Town	Berwick upon Tweed
Flint County	Cheshire
Flint Town	Chester City
Glamorgan County	Orford
Cardiff Town	Calais in France
Counties and Boroughs	32 Members 38

By King E D W A R D VI.

Salisbury	Wigan
Camelford	Liverpool
Portpigham alias <i>Westlow</i>	Boston
Grampound	Westminster
Bossiney	Thetford
St. Michael	Peterborough
Newport	Brackley
St. Albans	Peterfield
Maidstone *	Litchfield
Preston	Heydon
Lancaster	Thirsk
Boroughs 22	Members 44

By

* It forfeited its Privilege under Queen *Mary*, by adhering to *Wyat's* Rebellion ; but was restored by Queen *Elizabeth*.

